THE

PAMPHLET,

ENTITLED,

"TAXATION NO TYRANNY,"

CANDIDLY CONSIDERED.

[PRICE TWO SHILLINGS.]

BRITISH MUSEUM

American Continental Congress.

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PAMPHLET,

ENTITLED,

"TAXATION NO TYRANNY,"

CANDIDLY CONSIDERED,

AND

IT'S ARGUMENTS,

AND PERNICIOUS DOCTRINES,

EXPOSED AND REFUTED.

"*The Rivers haſten to mingle their Waters with the Sea;*
"*And Monarchies loſe themſelves in deſpotic Power.*"
Monteſquieu—Spirit of Laws.—Vol. I. Book 8. Chap. 17.

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MUSEUM

The PAMPHLET entitled

"Taxation no Tyranny"

CANDIDLY CONSIDERED.

THAT "Taxation" *may be* "no Tyranny"—is a fact which needs no illuſtration. It was reſerved for a man of Doctor J——n's profound learning, and vaſt abilities, to inform the world of a truth, which none but a Bedlamite could ever controvert. He has made "Taxation no Tyranny," the title of his laſt performance—and I admire his ingenuity in having had recourſe to ſo very ſubtle a ſtratagem, to impoſe on mankind, by leading them imperceptibly into the admiſſion of his concluſion—that—*ſince* Taxation is

no Tyranny, *the complaints of the Americans are abſurd.*

WHEN men are taxed by a power, which has *conſtitutionally* a right to impoſe Taxes on them—to ſuppoſe them acts of Tyranny, would be ridiculous. When men are taxed by a power, which *cannot conſtitutionally* impoſe Taxes on them—Taxation *then* becomes the greateſt Tyranny. Whether or not there is any Tyranny in Parliament's Taxation of America, can only be decided, therefore, by candidly conſidering its right.

To be enabled to inveſtigate this right, it is neceſſary we ſhould never be unmindful that a government, whoſe baſis is freedom—muſt govern by the ſpirit of the conſtitution. Though King, Lords and Commons, are ſupreme, *to do juſtice*—they are not arbitrary *to enſlave.* The King is to govern, *by the laws*—and the Legiſlature is to enact no law, which can undermine the fundamental pillars *by which it is ſupported.*

WHEN

WHEN the fathers of our American fellow-ſubjects, fled from the tyranny of Charles the Firſt, they carried with them all the inherent privileges of Engliſhmen; but by being prevented, by their diſtance, from being repreſented in Parliament to their advantage, they were neceſſarily to be ſo governed, as that they might have no cauſe to entertain apprehenſions for their freedom. For this purpoſe they were ſolemnly preſented with Charters. They had aſſemblies, councils, governors. The latter repreſents the King—the Council, the Peers, the Aſſembly, the Commons. In every thing that relates to their commerce, it is but juſt that the legiſlative power of Great Britain ſhould regulate articles, which are of ſuch conſequence to the whole empire—but if the different colonies were not to adjuſt their own internal Taxes, by their different legiſlatures, formed after the model of ours—it was cruel, as well as unjuſt, to tantalize them with a farcical repreſentation, abſent from the only ſpot where it was requiſite

for their intereſt their repreſentatives ſhould have influence.

UNTIL the Tories got into power at the commencement of this reign, Great Britain and America were thought, by each country, to have intereſts inſeparable. We formed no wiſhes to deprive them of thoſe liberties, which they enjoyed by inheritance, as Engliſhmen—and they looked up with love, reverence, and gratitude to Britain—as the country which gave birth to their anceſtors—and protected them from the aſſaults of their enemies. As they went hand in hand to greatneſs, a mutual reciprocation of kind offices, ſtrengthened the ſocial band of friendſhip. Our arms extirpated the French—and brought the Indians into ſubjection—and in return, the Americans poured in their gold by Millions into Britain. Bleſſed moments of unanimity—grandeur, wealth, ſtrength, happineſs—how are ye fled!—What peſtilential hand has blighted ſuch fair bloſſoms with its polluted touch?—

What

What cankered worm has deſtroyed the fruit which might have been reaped in luxuriant abundance, to nouriſh, and enrich both countries?

Mr. Grenville unfortunately planned the Stamp Act, which *firſt* ſowed the ſeeds of diſcord—but on its repeal, peace was reſtored. After having *felt* the deſtructive conſequences attendant on the attempt to raiſe a revenue in America, is it not hardly credible that men could be found, hardy enough, or wicked enough, to plunge this nation inſtantly again into the very ſame gulph, from whence it had but juſt emerged, defeated? Having experienced the fatal effects of an arbitrary encroachment on the Privileges of our colonies—ought not wiſdom to have terminated our ideal proſpect of American Taxation?—It was voluntarily ſteering full ſail into a dangerous ſea—to be imbayed by dreadful rocks, and ſurrounded with ſhoals—after having been informed of the folly of the

enterprize, by pilots, who had been ſounding its channels, and viewing its perils.

As Tories have forced us into a ſituation which threatens ſhipwreck—it cannot be wondered that Jacobites applaud the helms-men. True to the intereſts of their ſtaunch friends, they fight their battles—they vindicate the moſt deſtructive meaſures. A profeſſed Jacobite becomes the champion of an adminiſtration, choſen by a king of the Brunſwick line!—Dr. J————n approves of his government—pretends a zeal for the rights of a monarch, whoſe title to the crown, *he reprobates!*

When Spain inſulted our flag—and daringly violated the law of nations, by attacking Falkland's Iſland—Dr. J——n writ a pamphlet in defence of the Spaniard's claim. An *Engliſh* miniſtry were gratified by an attempt to prove the inſignificance of a territory, which they had

had not ſpirit to preſerve and knew they were on the brink of relinquiſhing——a Jacobite was penſioned *by England*, for pleading the cauſe of *Spain!*——

WHILE every Whig, throughout the wide extended empire, loudly exclaims againſt the conduct of a miniſtry, which has driven us to alternatives which threaten us with deſtruction—the avowed enemies of our conſtitution are hoſtile againſt America. Men, who have no public principle, but what leads them to oppreſs and enſlave a free people, may depend on finding in Doctor J———n, a powerful advocate—ever ready to exert his utmoſt abilities in the defence of thoſe, *whoſe principles have ſo near an affinity with his own.*

ONE would think that a defence, compoſed by a declared enemy to this country's freedom—by an inveterate foe to the Royal Family upon the throne, would

have been conſidered the bittereſt ſarcaſm upon the meaſures of a miniſtry, which are acting under the auſpices of a King, *whoſe only title to the crown is founded on Whig principles.* Yet we have heard this defence extolled in the houſe of Peers, by a firſt Lord of the Admiralty.—Hackneyed in the ways of corruption—and depending on it ſolely for ſupport—a noble defiance is hurled at the deciſions of common ſenſe. Deſtitute of ſhame, the opinions of the virtuous are deſpiſed—and bent upon the eſtabliſhment of deſpotiſm, it's introduction is accelerated with the moſt rapid ſtrides. Aſſiſtance is hired from among the friends of the abdicated Stuarts—and the abettors of lawleſs power, undertake the taſk of dreſſing up arbitrary tenets, ſo as to make them reliſhed by the aſſertors of the liberties of freemen. But ſooner ſhall the greateſt oppoſites in nature unite in perfect agreement, than the Jeſuitical Sophiſtries of a Jacobite, prevail on the Engliſh

Nation

Nation to approve of the hoſtilities commenced by adminiſtration againſt the Americans. It will be deemed a ſtrong preſumptive argument in favour of the Americans, that *their* enemies, are *the enemies of the conſtitution*——and the preſumption will be as ſtrong againſt adminiſtration and their ſupporters, when it is notorious, that the very men who refuſe to attend a Church, where George the Third is prayed for, are, notwithſtanding, the moſt vociferous in the praiſe of his miniſters.

Doctor J——n very artfully begins his laſt work (entitled, " Taxation no Tyranny") with an endeavour to deceive his readers. He firſt ſuppoſes, what is not matter of fact, in order to arraign afterwards, the chimera of his own brain.

" In favour of this exemption of the
" Americans from the authority of their
" lawful Sovereign, and the dominion
" of

" of their Mother Country, very loud " clamours have been raiſed, and ma- " ny wild aſſertions advanced, which by " ſuch as borrow their opinions from the " reigning faſhion, have been admitted " as arguments."—

THE Americans have in the ſtrongeſt terms, repeatedly acknowledged the authority of their lawful Sovereign. They have never denied the dominion of their Mother Country. They have formally profeſſed their allegiance to the former, and dependence on the latter. But as no allegiance can bind Engliſhmen into an abject ſubmiſſion to unconſtitutional encroachments——their reſiſtance to illegal Acts can never be inconſiſtent with the conduct of good ſubjects. Next to the ſervice due to the Almighty, we owe reverence to the Conſtitution.

THE learned author proceeds immediately to ſay——" and what is ſtrange, " though their tendency is to leſſen En- " gliſh

" gliſh Honour, and Engliſh Power, they
" have been heard by Engliſhmen with
" a wiſh to find them true."

It would be ſtrange, indeed, if we could realy wiſh to leſſen Engliſh Honour, or Engliſh Power. It is from a wiſh, directly oppoſite in it's nature, that we are anxious to put an end to theſe diſſentions. It is from a conviction that it is incompatible with Engliſh " Honour," to enſlave it's dependencies—— that we are aſhamed of theſe outrages againſt the Americans. It is owing to our full conviction of the impending blow which theſe Acts will inflict on " Engliſh Power," that we have been ſollicitous to break it's force. Certain that we derive our ſtrength from our commerce——we tremble at meaſures which muſt contract it within narrow limits. Having never been able to perceive any true policy in bartering thoſe ſolid benefits which we derive from our commerce, for the empty, Ideal Advantage

of

of having an authority to tax America, acknowledged *(though we confeſs it would be improper to enforce it, if admitted—)* we are compelled to cenſure reſolutions, which relinquiſh the ſubſtance for the ſhadow.

But even admitting it to be true, that we are deſirous to "leſſen Engliſh Honour, and Engliſh Power"——is it poſſible that *the author of Falkland Iſland* can think it "ſtrange?" Should we not be infinitely leſs culpable in ſacrificing our honour and power to our American fellow ſubjects, than in meanly offering up both to Spain? Where was Doctor J———n's regard for Engliſh Honour, when he ſuffered his pen to attempt reſtraining the Engliſh lyon's rage, while roaring for vengeance againſt the Spaniards? Where was his tender concern for the preſervation of Engliſh Power, when he laboured to depreciate an acquiſition——which might have been of the utmoſt ſervice to our ſhips—when

about

about to double Cape Horn—or paſs through the ſtreights of Magellan? As our motive in ſettling Falkland's Iſland, was never conceived to have been with an idea of *farming* it——it's being "a barren rock," does not leſſen it's value. It affords the fineſt harbour in the univerſe——and fine water——*theſe* are the advantages which ſhould have recommended it to our miniſters. The deſire demonſtrated by Spain for it's poſſeſſion was ſufficient to ſatisfy every unprejudiced mind, that whatever was worth *their* while to go to war, *to acquire*—was worth *our* going to war, *to defend.*

I READILY acknowledge, with Dr. J———n, that "to be prejudiced, is always to be weak"—but ſince he has allowed that "there are prejudices too "near to laudable, that they have been "often praiſed, and have been always "pardoned" —— I hope he will allow that it is more pardonable to be prejudiced

judiced in favour of liberty, than of deſpotiſm—in favour of our brethren of America, than our enemies of Spain. Let him therefore reflect with confuſion, that, " to love their Country has been " conſidered as virtue in men, whoſe " love could not be otherwiſe than " blind"—and if " it never has been " his fortune to find, either in ancient, " or modern writers, any honourable " mention of thoſe, who have with " equal blindneſs hated their Country"—he may judge, from the merited cenſures which have invariably marked ſuch unnatural characters—how his own will be viewed by thoſe who are informed that *he aſſerted the rights of Spain.*

We ſhall therefore readily agree, that ſuch " antipatriotick prejudices are the " abortions of folly impregnated by " faction"—and ſince they are " pro- " duced againſt the ſtanding order of " nature," may we ever find that they " have not ſtrength ſufficient for long " life !"

" life!" but—that ſince " they are born " only to ſcream, and periſh"— they may " leave thoſe to contempt," and " deteſtation, whoſe kindneſs was em- " ployed to nurſe them into miſchief!"

I AS readily agree with Doctor J——n that " to perplex the opinion of the " public, many artifices have been uſed, " which, as uſually happens when falſe- " hood is to be maintained by fraud, loſe " their force by counteracting one ano- " ther." Thus, in the caſe of the re- ſtraining Fiſhery Bill, now depending in Parliament—miniſtry, in one moment, confeſſed that their true motive was to chaſtiſe the Americans into a ſubmiſſion to their power—and in the next—that it was to encreaſe the number of our fiſh- ing veſſels, on the banks of Newfound- land. The very Pamphlet which I am anſwering, could have been written with no other view but to perplex the opinion of the public—for it builds on foundations which the author muſt have known are not ſubſtantial.

" THE

" The ſupreme power of every Com-
" munity, has the right of requiring from
" all its ſubjects, ſuch contributions as
" are neceſſary to the public ſafety, or
" public proſperity."—Admitting this to be true, yet it would be no argument for taxing America—for that Taxation—ſo far from contributing to the " public " ſafety, or public proſperity"—would prove the deſtruction of both. But the *real* matter of fact, is, that whatever rights *other* ſupreme powers may aſſume—the *Engliſh* legiſlature, thanks be to Heaven! are bounded by the known eſtabliſhed laws of reaſon, juſtice, and mercy. The *laws* place limits to their ſway—and golden capitals inform freemen—*thus far they may go—but no farther.* In *this* conſiſts the excellence of our conſtitution—on this ſolid baſis, we found our liberties. Did the *Engliſh* Parliament levy Taxes on Scotland, till after the Union?—Doctor J———n's *firſt* poſition, therefore, being thus deficient—it will be found that the ſtructure he has raiſed on this rotten bottom,

bottom, will ſoon tumble to the ground—for neither the edifice nor its foundation are ſubſtantial. When an artful—ſenſible—elegant—learned Jacobite takes up his pen to caſt a veil over truth—it is the duty of every honeſt man to endeavour to withdraw the curtain—for truth need only appear in its native charms, to convince the judgement—while it attracts the admiration of mankind.

When men of ability wiſh to deceive, nothing can be more eaſy. They miſrepreſent facts—ſtate erroneouſly their adverſary's arguments, in order to confute what was *never alledged*—that they may form concluſions ſuitable to their purpoſe. In Doctor J———n's Political Works, we find numerous inſtances of theſe arts. It would be endleſs to mark them—their repetitions are ſo frequent. Let me therefore beg, once for all, that the world will read him, with an eye to the detection of his Jeſuitical deluſions.

"WE then begin to conſider the "queſtion with more evenneſs of mind"—(I ſhall point out with what "*evenneſs of mind*" he is on the point of attempting to deceive—even in the very concluſion of the ſentence, of which this parentheſis is an interruption) "are ready to conclude "that thoſe reſtrictions are not very op-"preſſive, which have been found con-"ſiſtent with this ſpeedy growth of proſ-"perity, and begin to think it reaſonable "that they, who thus flouriſh under the "protection of our government, *ſhould* "*contribute ſomething towards its ex-*"*pence.*"

MUST not this unjuſtifiable envy of the Tories, expreſſed thus glaringly—remind us of the known Fable of the Rebellion of the Members of the Human Body againſt the Stomach?—They grudge the Americans thoſe riches, which would all center in Britain—and that ſtrength, which would contribute to our ſupport!—narrow—wretched policy!—all our efforts to de-

preſs

preſs America in its growth to ſplendor, will but haſten her progreſs to independent power—and lend us wings in our flight after thoſe great empires—whoſe fatal errors cannot teach us wiſdom!

And do the Americans, really, and bona fide, *contribute nothing* towards the expence of government? One would be led to conclude this to be incontrovertibly clear—undeniably certain—by the eaſy ſtyle in which the learned Doctor takes it for granted.

Pray do not the Americans import very large quantities of our articles, which are heavily taxed? Is this a fact—or do I aſſert a falſehood? Do they receive no ſoap from hence—no leather, &c. &c. &c.?—If it is a truth, do not the Americans pay taxes to government, by purchaſing articles *on which it has impoſed Taxes?*——How elſe do the people of England pay Taxes? The window-tax is

indeed paid, for the light of Heaven; which is neither eaten, drank, nor worn—the rich pay for having plate and carriages—but the bulk of England pay their taxes, *by the commodities they purchaſe.*

THE Duke of Grafton very ingenuouſly confeſſed, that the Americans were ſufficiently taxed, *by buying our taxed articles from Britain.* He owned that no other burthens ſhould be impoſed upon them. But I ſhall ſay more on this, in a few moments: I could not avoid juſt remarking here, the Doctor's attempt to miſlead.

HE next calls Ridicule to his aid. There cannot be a more convincing proof of a bad cauſe—than when men of acknowledged ability are driven to have recourſe to Ridicule, inſtead of Argument. Theſe are arts which betray weakneſs. When men wiſh to reconcile ſlaviſh tenets, to a free people, they always ridicule, what they cannot anſwer.

" BUT

" But we are then told that the Ame-
" ricans, however wealthy, cannot be
" taxed; that they are the deſcendants
" of men who left all for liberty, and
" that they have conſtantly preſerved the
" principles and ſtubbornneſs of their
" progenitors; that they are too obſtinate
" for perſuaſion, and too powerful for
" conſtraint; that they will laugh at ar-
" gument, and defeat violence; that the
" Continent of North America contains
" three millions, not of men merely, but
" of Whigs, of Whigs fierce for Liber-
" ty, and diſdainful of Dominion; that
" they multiply with the fecundity of
" their own Rattleſnakes, ſo that every
" quarter of a Century doubles their num-
" bers."

Was it prudent in our Doctor— (the redoubtable champion of the adminiſtration of a Brunſwick King)—thus to betray the violence of his averſion to Whigiſm, whilſt he was endeavouring to reconcile the meaſures of Government *to the*

the Engliſh Nation? I hope that at leaſt three parts of England are Whigs—for if otherwiſe, freedom is near it's end:—if, then, the great majority are Whigs, they may eaſily perceive what little weight ought to be placed on the Doctor's opinions——for he deems thoſe men to have been "*obſtinate, ſtubborn,*" who oppoſed the lawleſs Acts of the Stuarts. "Whigs, fierce for Liberty"——his nature recoils from, with abhorrence. In his idea, the ſtruggling for Liberty——and diſdaining the dominion of arbitrary power——ſo far from being noble, is traitorous——deſerves chains——gibbets——racks, and faggots. To reſiſt deſpotiſm, is high treaſon——and he whoſe neck will not bend to the yoke, merits a block, or halter. Such are the opinions——ſuch the principles of the man, whom the miniſtry have penſioned for his eulogiums on their meaſures!——In my idea of things——the adminiſtration of a Brunſwick King, have as much cauſe to be aſhamed of being defended by

by a Jacobite——as a Right Reverend Father in God would feel in being reduced to cull his ableſt friend from among the waiters of a Brothell.

" Men accuſtomed to think themſelves maſters, do not not love to be threatned. This talk, is, I hope, commonly thrown away, or raiſes paſſions different from thoſe which it intended to excite."

The Doctor's memory needs refreſhment. Let me entreat he will look back to the events of 1771—and remember the tranſactions of Falkland's Iſland. I beg he will be ſo kind to take a review of the conduct of Spain, likewiſe, relative to the Manilla Ranſom—the Antigallican's Prize—and the excluſion of our ſhips of war from their Ports. Have we not been bullied, too, even by the Portugueze?— Really when one reflects on the conduct of the Tory Writers— and Jacobitical Defenders of a

Brunſwick

Brunſwick Reign, we are at a loſs whether we have moſt cauſe to be aſtoniſhed at their effrontery, or their folly!—Can they imagine that *their* praiſe can be honourable to a King's Adminiſtration, whoſe family was placed on the Throne, on purpoſe to ſave the Nation from Men, profeſſing the very principles, which they defend? Will they preſume to aſſert that miniſtry cannot be threatened, when we can recollect ſo many proofs of the reverſe!—Abjectly to bow the knee to France and Spain—and lord it haughtily over the aſſertors of freedom, at home—have ever been the characteriſticks of a Tory Adminiſtration—and I am therefore not in the leaſt ſurprized, that while they cringe like ſpaniels to our natural enemies—they ſtrut like Turkiſh Baſhaws over the Rights of their Countrymen.

"INSTEAD of terrifying the Engliſh "hearer to tame acquieſcence, it diſ-"poſes him to haſten the experiment of "bending

" bending obſtinacy before it is become
" yet more obdurate, and convinces him
" that it is neceſſary to attack a Nation
" thus prolific while we may yet hope
" to prevail."

HERE the maſk is taken off without reſerve—and it is ſhameleſsly avowed that the encreaſe of population juſtifies depopulation by the ſword!——Becauſe Tories have formed a plan to deprive the Americans of freedom, their fertility becomes offencive in their view—and they are to be purſued by all the horrours of War—mowed down by thouſands—— *to counteract the operations of nature!*——

BUT let not Doctor J———n's aſſertion remain uncontradicted—for his horrid policy, almoſt freezes the blood in our veins—and our natures ſhrink back with horrour from the deteſted idea. An " *Engliſh* hearer," far from wiſhing " to haſten the experiment"—exults in the

the noble ardour of his American Brethren—and ſo far from wiſhing to curb the ſpirit which leads them to prefer death to bondage—he would chearfully aſſiſt them with his blood, in their ſtruggle for the preſervation of freedom.

" A MERCHANT'S deſire is not of " Glory, but of gain; not of public " wealth, but of private emolument; " he is therefore rarely to be conſulted " about War and Peace, or any deſigns " of wide extent, and diſtant conſe- " quence."

AND can " *Glory* be obtained by *ſlaughtering* our Fellow Subjects? Is the unnatural deſtruction of our own blood, to be dignified by the name of " *War?*" Is the noble profeſſion of arms, to be degraded into the office of Executioners? —— Away then with the words, " *War*—*Peace*"—and " *Glory*"—they grate harſh diſcord in my ears, when they are mentioned in the *miniſterial* conteſt with

with the Americans—they are fit only to be uſed, when applied to the contentions of the *Britiſh Nation with it's Enemies.*

AFTER having premiſed the impropriety, and the indecency of uſing the words *War*, and *Peace*, with reſpect to the quarrel of the *Tories* with the Americans (for I never will allow it to be the quarrel of the *Engliſh Nation*) I will agree with the Doctor, in opinion, that Merchant's are not proper to be conſulted about War and Peace. They are ſuppoſed inſenſible to the delicate ſenſations of national Honour—and as many Wars are rendered neceſſary to vindicate the Honour of Nations, it would be folly to conſult men, whoſe want of feeling precludes their being judges.

BUT in a conteſt *between a tyrannical Junto*, and three millions of our Fellow Subjects — in which the commerce of the Empire may be ruined, without the proſpect of any ſingle Advantage in return,

to counterballance the misfortune—the Merchant's are the only people whoſe opinions ſhould have weight. Where commerce is the object—their evidences ſhould be heard like Oracles—their deciſions ſhould be concluſive.

In the four laſt years of Queen Anne, the Houſe of Commons were pretty obedient to her pleaſure—yet—ſuch was *their* veneration for commerce—and ſo unwilling were *they* to ſacrifice our National ſtrength to our Enemies—they inſiſted on hearing the Merchant's at their Bar, before they would approve of the two articles in the infamous treaty of commerce, which would by this time, have demoliſhed our trade, if Queen Anne's Houſe of Commons had not refuſed their approbation—and left her miniſters in the Minority. In *theſe* more enlightened times—our repreſentatives ſcorn ſuch aſſiſtance. Inſtructed by intuition, they ſpurn ſuch vulgar aids,—or convinced of the miniſter's infallibility—

lity—they think it a duty incumbent, to reſign their underſtandings in his preſence.

THE Doctor informs us, that "there "will be a part, and always a very "large part of every community *that* * "have no care but for themſelves, and "whoſe care for themſelves reaches lit-"tle farther than impatience of imme-"diate pain, and eagerneſs for the "neareſt good."

WE have known *this*, alas! by miſerable experience——we need only turn our eyes to both Houſes of Parliament—to view in their majorities ſad examples of this truth!

I WILL acquit Doctor J———n of being intereſted by ſuch ſordid motives. I verily believe he writes from principle—and I reverence a man of principle, though his principles are Jacobitical.

* The Author of a *Dictionary* ſhould have written "*who*."

I SHOULD be ſorry to be miſunderſtood. I do *not* mean to write *ironically*. I freely own myſelf rather inveterate againſt *Tories*, unleſs they proceed *a ſtep farther*, and avow themſelves *Jacobites*. I think a Tory, a monſter in politics—who is an advocate for arbitrary power—and yet meanly, and cowardly conceals his opinion, that the Hanoverian Family have *no* right to the Crown. He approves the principles on which the Stuarts governed—and yet profeſſes affection, duty, and loyalty to the family—*whoſe ſole right is founded on the Stuarts having governed contrary to the Conſtitution.* If, therefore, he approves of the acts of the Stuarts, he ſhould defend their title to the Crown—for *if* their acts were reconcileable with the Conſtitution—and arbitrary power *is to be ſwayed in England*—beyond diſpute the Stuarts have *the beſt right to be the Tyrants of Britain.*

DR. J———N is too honeſt to conceal his ſentiments. His partiality for the Stuarts,

Stuarts, is notorious—he is too much a man of honour to deny his principles. He writes, therefore, *not* from any ſordid motive, but from an *honeſt zeal* to promote the intereſt of the abdicated Stuart—whoſe cauſe he eſpouſes, from a conviction, that *the people were born for the king—and not the king for the people.*

If men are conſiſtent, and avow their predilection for deſpotiſm—I ſee no reaſon why I ſhould deſpiſe them, becauſe their ideas of government are oppoſite to mine—but if men moſt inconſiſtently ſupport, and propagate the moſt tyrannical tenets—and yet pretend loyalty to the Brunſwick line—*(who can have no right to the Britiſh Crown, if Tyranny is lawful in England)* I loſe patience in combating their doctrines—and pity the infatuation of the monarch who believes them ſincere—ſince *his* title *muſt* periſh in the flame that burns Magna Charta.

What follows, contains ſome appearance of argument—it is therefore

requiſite that I ſhould tranſcribe it entirely, to give it its full weight. I have no deſire to deceive my readers—my only wiſh is to convince their judgements.

" THAT they who form a ſettlement " by a lawful charter, having committed " no crime, forfeit no privileges, will " be readily confeſſed; but what they " do not forfeit by any judicial ſentence, " they may loſe by natural effects. As " man can be but in one place at once, " he cannot have the advantages of mul- " tiplied reſidence He *that* * will enjoy " the brightneſs of ſun-ſhine, muſt quit " the coolneſs of the ſhade. He who " goes voluntarily to America, cannot " complain of loſing what he leaves in " Europe. He perhaps had a right to " vote for a knight, or burgeſs: by " croſſing the Atlantic he has not nullified " his right; for he has made its exertion " no longer poſſible. By his own choice

* It is amazing that ſo good a Grammarian as Dr. J———n ſhould ſo often miſplace " *that*," for *who!*

he

" he has left a country where he had a
" vote and little property, for another,
" where he has great property, but no
" vote. But as this preference was de-
" liberate and unconſtrained, he is ſtill
" concerned in the government of him-
" ſelf; he has reduced himſelf from a
" voter, to one of the innumerable mul-
" titude *that* have no vote. He has truly
" ceded his right, but he is ſtill governed
" by his own conſent; becauſe he has
" conſented to throw his atom of intereſt
" into the general maſs of the commu-
" nity. Of the conſequences of his own
" act he has no cauſe to complain; he
" has choſen, or intended to chuſe, the
" greater good; he is repreſented, as
" himſelf deſired, in the general repre-
" ſentation.

" WHAT their anceſtors did not carry
" with them, neither they nor their de-
" ſcendants have ſince acquired. They
" have not, by abandoning their part in
" one legiſlature, obtained the power of

" ſtituting another, excluſive and inde-
" pendent, any more than the multi-
" tudes, who are now debarred from
" voting, have a right to erect a ſeparate
" Parliament for themſelves."

THIS is ſpecious—but certainly very falſe reaſoning. This argument is entirely overturned by the following plain queſtion——Have theſe ſeparate multitudes, in England—who are debarred from voting—any regular aſſemblies, councils, and governors of their own? Are they authorized by the Conſtitution of their country, to elect *Repreſentatives* (ſpecially termed REPRESENTATIVES) to ſit, and vote in their provincial aſſemblies? If not—then *here* we perceive a *vaſt* difference between " the multitudes who " are now debarred from voting," and the *Provinces of the great Continent of America*—who have for ages raiſed their own ſupplies, at their pleaſure—and had never any Taxes demanded of them by Britain, till the Stamp Act ſet the Continent in an uproar.

If Government had not ſeen a ſtriking difference between the ſituations of thoſe in Britain who have no votes—and the inhabitants of the colonies in America—the Kings, who ſolemnly endowed them with their Charters, would have left them without Aſſemblies—to be governed internally by the Parliament of Britain, preciſely as thoſe men are governed in this country, who Doctor J——n *ſeems* to think, ſo entirely on their level.

When we read ſuch productions, may we not reaſonably conclude that their authors imagine mankind deſtitute of common ſenſe? Is it poſſible, otherwiſe, that a man could gravely aſſert that the provinces of America are preciſely on a footing with the people of Britain, who are not voters?——

Were *all* the Kings who have reigned in England ſince Charles the Firſt's time, Ideots? Were *all* their different miniſtries—and their various Parliaments—

knaves, fools—or madmen?——Is *this* the *only wiſe* reign, which England has ſeen ſince the ſettlement of America? Have its miniſtries, and the majorities of its Parliaments, been compoſed of men—ſo remarkable for their wiſdom, knowledge, integrity, and public ſpirit, as to have totally eclipſed their predeceſſors? This muſt undoubtedly be the caſe—or how comes it that, until the æra of the Stamp Act, no king, miniſter, or legiſlator, dreamed of taxing the Americans? —The unrepreſented multitudes of Britain, have *always* been taxed—if, then, their ſituations are ſo ſimilar with the Americans, what are we to ſuppoſe—what are we to conclude, but, that, *wiſdom*, and *public virtue* have only within theſe *very few years* dawned on this iſle—ſince the diſcovery has been ſo lately made, that our Parliaments ſhould tax the Americans. If the diſcovery was made in former reigns—it is plain that the diſcovery was rendered ineffectual, by the mode having never been adopted.

The

The Miniſtries, and Parliaments of this reign, conſequently, ſtand unrivalled, in wiſdom—knowledge—public virtue!—

In vain the Doctor has again recourſe to ridicule. He tells us that "the pri-"vileges of an American ſcorn the limits "of place; they are part of himſelf, and "cannot be loſt by departure from his "country; they float in the air, or glide "under the ocean." All this is certainly very fine — unanſwerably proves that charters can convey no right—and that three millions of people, at three thouſand miles diſtance, have no title to diſpoſe of their property — and that every ſhilling they poſſeſs, ſhould in reaſon, and equity, *conſtitutionally* lie at the ſovereign diſpoſal of two aſſemblies—*(notorious for their ſplendid virtues) in which they have not a ſingle vote!*—

"Men are wrong for want of ſenſe, "but they are wrong by halves for want "of ſpirit. Since the Americans have

" diſcovered that they can make a Par-
" liament, whence comes it that they do
" not think themſelves equally empow-
" ered to make a King? If they are ſub-
" jects, whoſe government is conſtituted
" by a charter, they can form no body
" of independent legiſlature. If their
" rights are inherent and underived, they
" may by their own ſuffrages encircle
" with a diadem the brows of Mr. Cuſh-
" ing."

I do from my ſoul, believe, that it would give Doctor J———n, and his worthy Jacobitical Friends in Power, unſpeakable joy to hear that the Americans had given him, and them, ſuch grounds for triumphing. I know that *the Junto* of the other ſide of Tweed, wiſh for nothing more than that the Americans would take the Field, and commit hoſtilities, to juſtify their turning looſe the Soldiery at their diſcretion. Unbearingly provoked at their prudent mode of oppoſition, miniſtry have done all in their

their Power to drive them out of their ſenſes—in hopes, that in a fit of deſpair, they might do ſome act of madneſs.

THE idea of crowning Mr. Cuſhing, was excellent—but when the Americans aſſert their independency of Britain, it will be time enough, then, to elect a King.

THE Americans have never pretended to diſcover " that *they* can make a Parliament," *which is to be independent of Britain.* They only aſſert, that, by the inherent rights they inherit as Engliſhmen—and by virtue of that conſtitution, *ſolemnly inſured to them by Charters*, no human Power has, or can have, a *conſtitutional* Power to Tax them, *without their own conſents*, firſt had, and obtained. If Parliament were to obtain the Power of Taxing America——in any manner they may pleaſe, the Americans very wiſely foreſee that they could never afterwards view any property as their own. Taxes, and their Collectors, might be multiply-

ed

ed at pleaſure. There is no way to guard againſt *many* Taxes —— but by proteſting againſt *one*——they therefore, prudently have taken the alarm on the appearance of a mortification in their extremities—— and have reſolved on an immediate amputation of the part corrupted, to prevent it's deſtroying their whole Body.

" THE Legiſlature of a Colony, let " not the compariſon be too much diſ- " dained, is only the veſtry of a larger " pariſh, which may lay a ceſs on the " inhabitants, and enforce the payment; " but can extend no influence beyond " it's own diſtrict, muſt modifiy its's par- " ticular regulations by the general law, " and whatever may be it's internal ex- " pences, is ſtill liable to Taxes laid by " a ſuperior authority."

UNTIL Doctor J———n can ſhew that the veſtry of a pariſh, are endowed by a Royal Charter, with pow-

ers

ers equal to what is poſſeſſed conſtitutionally by the American Provinces—— we muſt deny his poſition——and inſiſt that the difference is immenſe.

TALKING of the Commons of Britain, the Doctor ſays—" yet this repre-" ſentation has the whole effect ex-" pected or deſired; that of ſpreading " ſo wide the care of general intereſt, " and the participation of public coun-" cels, that *the intereſt or corruption of* " *particular men can ſeldom operate with* " *much injury to the public.*"

EXPERIENCE——alas! has too ſadly proven the reverſe!—— What opinion ought the public to entertain of an author, who can thus make a mockery of their misfortunes?—" The intereſt, or " corruption of particular men can ſel-" dom operate with much injury to the " public!"—Does the Doctor think he is writing to Drivellers? Witneſs the multitude of Acts of Parliament, which evince

evince the injury ſuſtained by the pub-lic, owing to the corruption of it's repreſentatives. Depraved and fallible as men are—ſuch majorities would not have been found to ſupport the ruinous meaſures we have ſeen, and felt the effects of, if private intereſt had not gained an aſcendant over public ſpirit. They would not wantonly have approved of the Middleſex buſineſs—eſtabliſhed the Popiſh Religion in a large part of our Dominions—ruined Boſton, *unheard*—have "torn up the liberties of the Pro-"vince of the Maſſachuſets, by the "roots"—* and reſolved on ſtarving thouſands of innocent Fiſhermen, to gratifiy a vindictive malevolence, if corruption had not hardened their hearts:—are we then to be told that it "can ſel-"dom operate with much injury to the "public!"

"It is urged that the Americans have "not the ſame ſecurity, and that a Britiſh

* In Lord Camden's Speech on the Fiſhery Bill.

"Legiſlature

" Legiſlature may wanton with their pro-
" perty; yet if it be true, that their wealth
" is our wealth, and that their ruin will
" be our ruin, the Parliament has the
" ſame intereſt in attending to them as
" to any other part of the Nation."

If we have found that very little regard has been too frequently paid by Parliament to the intereſts of this Nation—can we be ſurprized if the Americans want faith to imagine that Legiſlature would be more careful of their intereſt, than it has ſhewn attention to the intereſts of Britain? Yet it approved of the ſcandalous convention with Spain in 1771—though it was known that inability to injure us, alone made her ready to gratify Tories by preſerving the Peace a little longer. Though we knew we could attack her to Advantage — and that the ſtorm *muſt burſt ſoon*— Parliament were prevailed on, to approve the ſhameful truce. Yet the Doctor ſays that the corruption of individuals can ſeldom injure

injure the public!— and he wonders how the Americans can hesitate an instant in resolving to abandon their purses to the disposal, at discretion, of so many *virtuous — so many immaculate Worthies.*

The Doctor has quoted from the *old Member*, arguments which he has been unable to confute. The quotation is as follows.

" The produce of American labour " is spent in British Manufactures, the " ballance of trade is greatly against " them; whatever you directly take in " Taxes, is in effect, *taken from your* " *own commerce.* If the minister seizes " the money with which the American " should pay his debts, and come to Mar- " ket, the Merchant cannot expect him " for a customer, nor can the debts al- " ready contracted be paid.—Suppose " we obtain from America, a Million, " instead of One Hundred Thousand " Pounds

" Pounds, it would be ſupplying one
" perſonal exigence by the future ruin
" of our commerce."

THIS is the language of common ſenſe—theſe are the dictates of wiſdom. Even Dr. J———n has been compelled to ſay, that, " *all this is true*"—and he is driven to ſuch extremities, that he has been forced to get quit of the quotation, by *begging the queſtion* — for he ſays— " but the old member ſeems
" not to perceive, that *if* his Brethren
" of the Legiſlature *know this as well*
" *as himſelf*, the Americans are in no
" danger of oppreſſion, ſince by men
" *commonly provident*, they muſt be ſo
" Taxed, as that we may not loſe one
" way what we gain another."

OUR Conſtitution would be in it's Youth, if our Parliaments had lately merited ſuch confidence. What ſignifies it to America, whether the old Members Brethren of the Legiſlature " know this

as

" as well as himſelf?" The point in queſtion, is, *not* what they *know* — but what they *practice*—do they *vote* according to their knowledge? If not—what ſignifies their knowledge? *Children*, in theſe days of abandoned proſtitution, are not ignorant that the majorities have *not always conſulted their ſenſes.* Let them *have known* what they will—their knowledge, or their wiſdom, ſeldom influences their votes. Whether the meaſure has been right or wrong—ſalutary or deſtructive—has too frequently not been ſubject for *their* deliberation—the point has been pre-determined in the cabinet—and they have too often met, only to give it the neceſſary forms of office, *by regiſtering the edict.* If the meaſure has been ſalutary—the miniſtry merit *all* the praiſe—if it has been deſtructive—they ſhould ſtand the brunt of the public indignation — for really their ſupporters have been ſuch mere machines, that it would be folly to praiſe them for any laudable acts — and cruelty to inveigh againſt

againſt them for going to that ſide, which held out attractions ſo irreſiſtible, that their mechanical powers could not withſtand the impulſe of the magnet.

THESE are home truths—but this is no time for ſilence. If men *will* perſevere in acting as if they were void of ſhame, they muſt not, with impunity, bid defiance to the cenſures of the virtuous. Whether what I have written, is truth, or falſehood—let the world determine;—and if all mankind, with one voice, proclaim the juſtice of the cenſure—an honeſt man would be at a loſs to find language, ſufficiently poignant and ſevere, to mark his contempt, and abhorrence, of the venality, and abandoned proſtitution of the times.

" THE ſame *old member* has diſcovered,
" that the judges formerly thought it
" illegal to Tax Ireland, and declares
" that no caſes can be more alike than
" thoſe of Ireland and America; yet the

" judges

" judges whom he quotes have men-
" tioned a difference. Ireland, they
" ſay, *hath a Parliament of its own.*
" When any Colony has an independent
" Parliament, acknowledged by the Par-
" liament of Britain, the caſes will differ
" leſs. Yet by the 6 Geo. I. Chap 5, the
" Acts of the Britiſh Parliament bind Ire-
" land."

The *old member* has not been ſingular in his opinion of the ſtriking ſimilarity between the ſituations of Ireland and America. A parallel was drawn between them, in the public papers in April, 1774. Indeed, the Doctor—and thoſe of his friends in Parliament, who have *ſpirit to be conſiſtent*—openly avow the power of Parliament to Tax Ireland. They found themſelves ſo very hard preſſed by the ſtriking likeneſs—that they were driven that length, to maintain their point againſt the Americans.

But if we recur back to the paragraph I have juſt quoted from Doctor J———n's

J———n's Pamphlet—by the Doctor's ſtrange inconſiſtency—we may perceive how much he was perplexed.

By having ſaid, that, "when any Co-"lony has any INDEPENDENT *Par-*"*liament* ACKNOWLEDGED *by the* "*Parliament of Britain*, the caſes will "differ leſs"—has it not been fairly *implied*, that the Parliament of Ireland *has been acknowledged* INDEPENDENT, *by the Parliament of Britain?* How, then, will he reconcile this acknowledgement of the Iriſh Parliament's *independency*, with the concluding ſentence—which aſſerts—that "by the 6 Geo. I. "Chap. 5, Acts of the Britiſh Parliament "bind Ireland?"

I HAVE never read the ſtatute referred to—but I can hardly ſuppoſe that it allows of the Iriſh being taxed by the Britiſh Parliament. It may declare, what I am ready to admit, that King, Lords, and Commons, are paramount over the whole

Empire, *as far as is requiſite for the conſtitutional* exerciſe of their dominion—but (as I ſaid in the beginning of this Pamphlet) a government *whoſe baſis is freedom*, muſt govern *by the ſpirit of the conſtitution*. The Britiſh Parliament are to make *regulations* for the welfare of the Empire—they are *ſupreme to do juſtice*, but *not arbitrary to enſlave*. Where there are regular, conſtitutional aſſemblies—immediately *intended at their firſt appointment* to raiſe *their own internal taxes*—the Britiſh Parliament could not infringe on *that* right, without violating the Conſtitution which it is their duty to ſupport.

If the ſtatute mentioned by the Doctor, gives the Britiſh Parliament full power to levy taxes on Ireland—in Heaven's name why do they not at once ſave the Iriſh Parliament the trouble of debating on ſubjects, which may ſo eaſily be decided without their concurrence? What folly is it to ſend over a Lord Lieutenant—at a monſtrous expence—and ſpend ſo much money

money in bribing ſo many Iriſh Lords and Commoners, to forward meaſures, which the Britiſh Parliament might purſue without their conſent? People may aſſert theſe abſurdities as they pleaſe—but of *this* they may take my word—that if the Britiſh Parliament were to attempt putting one of their acts in force, for levying an Iriſh Tax, without the conſent of the Iriſh Parliament—they would ſoon ſee Ireland in arms.

THE legiſlatures of the Colonies—it is true—have not the *appellation* of *Parliaments*—but are we to quibble about *words?* They have aſſemblies—compoſed of members, whom, *we acknowledge*, are termed REPRESENTATIVES. Does not the King's repreſentative—(the Governor) act as Viceroy? May not his council be termed an Houſe of Peers? and the three, combined, a Parliament? They have conſtantly acted *as Parliaments*—and happy would it have been for this much injured country, if miniſtry

had never attempted to infringe on their rights!

" It is urged that when Wales, Dur-
" ham, and Cheſter, were diveſted of
" their particular privileges, or ancient
" government, and reduced to the ſtate
" of Engliſh counties, they had Repre-
" ſentatives aſſigned them." The Doctor might likewiſe have mentioned what Mr. Wilkes reminded us of, in the Houſe of Commons——that " Calais," when in our poſſeſſion, " was never taxed by
" Parliament, till ſhe had Repreſentatives
" aſſigned her."

What can more ſtrikingly demonſtrate the idea of Parliament in thoſe days? What can more glaringly evince *their* opinion, that Taxation and Repreſentation were inſeparable?—The Doctor was at a loſs how to get over theſe circumſtances—and is obliged to ſay, that
" to thoſe from whom ſomething had
" been taken, ſomething in return might
" properly

" properly be given. To the Americans " their charters are left as they were, " except that of which their ſedition has " deprived them. If they were to be " repreſented in Parliament, ſomething " would be granted, though nothing is " withdrawn."

Is it poſſible a man could have been ſo abſurd! — In what manner did the counties mentioned, derive their " par- " ticular privileges and ancient govern- " ment?" Was it not by grants, or charters, from former kings? and if ſo— are not the American charters as ſacred? —If taxing provinces, who are unrepreſented — (contrary to the eſtabliſhed cuſtom for ages) would not be *taking away ſomething*, nothing can be taken away under the ſun!——

I SHALL defer ſaying any thing to the exception in the latter part of the laſt quotation—becauſe I ſhall preſently enter fully into that queſtion—and examine the

right of Parliament to reduce a province of Engliſhmen to a ſtate of abject ſervitude. If, by the alterations made in the province of Maſſachuſet's Bay, they are not reduced to a ſtate of ſlavery, inſupportable to an Engliſh breaſt—it is difficult to define what ſlavery means.

" THE inhabitants of Cheſter, Durham, " and Wales, were invited to exchange " their peculiar inſtitutions for the power " of voting, which they wanted before, " The Americans have voluntarily re- " ſigned the power of voting, to live in " diſtant and ſeparate governments, and " what they have voluntarily quitted, " they have no right to claim."

IT was *becauſe* they could no longer vote, that they were endowed with Royal Charters—which preſented them with different legiſlatures of their own, in which they were to be repreſented. Theſe legiſlatures were ſo formed, as to be models of our own. They were—

like

like the Iriſh Parliament—to raiſe, and regulate their own ſupplies—ſubject to a negative from Britain. The inability of the Americans to vote at our elections, no more precludes them from the right of being repreſented in the aſſembly *which is to tax them*—than the arm of ſea which ſeparates us from Ireland, gives the Britiſh Parliament a right to Tax the Iriſh without their conſents. The ſame inability to vote, precludes Parliament from taxing, either. Whatever regulations are requiſite to be made, either in Ireland or in America, for their mutual benefit, and the welfare of the empire—the Britiſh Parliament have power, undoubtedly, to determine without controul—but it never muſt be forgotten, that immediately taking the money out of the pockets of the Iriſh and the Americans, muſt ever be excepted—for *if* Parliament *may* order them to pay a farthing in the pound, they *may* chuſe to take nineteen ſhillings in the pound:—no bounds can be placed to their demands—and it is,

therefore, indiſputably incompatible with the ſpirit of Engliſh liberty, that any ſet of men under the ſun, ſhould have authority to wanton with the property of whole provinces, who have no intereſt with the members, inveſted with ſuch unreſtrained power. The unrepreſented multitudes in Britain—have ſome influence, either with the voters, or the men elected—there is a common bond of union, (in whatever immediately attacks their *purſes*) which unites their general intereſt. With the Colonies, and with Ireland, their difference, with reſpect to the unrepreſented inhabitants of Britain, is immenſe. The Members of Parliament are not ſo feelingly alive, to the remonſtrances of even their own Conſtituents—the Americans therefore are to be excuſed, if their *faith* in the integrity of Parliament, *is not ſtrong enough to remove mountains.* Three millions of people would be fit for Bedlam, if they conſented to repoſe their fortunes, confidently, in the hands of men at three thouſand miles diſtance—

diſtance—with whoſe characters they are acquainted, *only by their votes in Parliament.* We, perhaps, by living ſo near the ſeat of power, are too well informed of the *genuine worth*, *honour*, and *virtue* of the men who compoſe the majorities in Parliament, to doubt, for a moment, their *diſintereſtedneſs*, *public ſpirit*, and *juſtice* but we cannot wonder, if men, *not ſo well informed*, are unwilling to truſt them with their fortunes.

THE beginning of the following quotation, therefore, is anſwered by what I have juſt written—I write it, however, to preſerve the ſenſe entire—to make a remark on the concluſion of the ſentence.

" IT muſt always be remembered that " they are repreſented by the ſame vir- " tual repreſentation as the greater part " of Engliſhmen;" (I hope this has been fairly anſwered) " and that if by " change of place they have leſs ſhare

" in

" in the Legiſlature than is proportioned
" to their opulence, they by their removal
" gained that opulence, and had origi-
" nally, and have now their choice of
" a Vote at home, or Riches at a
" diſtance."

THOUGH this, may, perhaps, be true with reſpect to ſome particulars—it cannot be ſaid that three millions of people have their choice of a Vote at home, or Riches at a diſtance. The ſpirit of Engliſh freedom, holds the rich and poor upon a level. The ſpirit of arbitrary power, places them at an immeaſurable diſtance—the former, upon eminences, in Gardens of Eden—the latter, in depths of miſery and wretchedneſs. We are therefore, as freemen, *not* to caſt our eyes *only* on the ſituations of the *opulent* inhabitants of America—we muſt attend to the claims of the multitude—and not think them deſpicable, becauſe they are poor. Theſe, cannot ſhift their ſituations—and we ought not to oppreſs them,

becauſe

becauſe we have them in a toil—unable to fly from under the nets, which we may violently caſt over their heads.

" We are told, what appears to the " *old Member*, and to others, a poſition " that muſt drive us into inextricable " abſurdity, that we have either no " right, or the ſole right of Taxing the " Colonies. The meaning is, that if we " can tax them, they cannot tax them- " ſelves, and if they can tax them- " ſelves, we cannot tax them."

Now let us attend to the manner the Doctor proves the contrary.

" We anſwer with a very little heſi- " tation, that for the general uſe of the " Empire, we have the ſole right of " Taxing them." When was this found out? Or is the authority of the Doctor infallible? *If* " we have the *ſole* right of Taxing them," how came it to paſs that the Americans, untill the Stamp Act paſſed—

paſſed — conſtantly taxed themſelves? What! was there never any demand for money, for the "general uſe of the "Empire," prior to the deſtructive attempt to tax the Americans? Have we always, till then, been ſo rich as to *want* no aſſiſtance? If otherwiſe——were all the preceding Parliaments Fools, or Traitors? If they were ignorant of ſo palpable a truth, as the Doctor ſeems to think it—they muſt have been Fools—if otherwiſe——and they continued for ſo many ſcores of years, neglectful of the general welfare of the Empire——they muſt have ſhamefully betrayed it's intereſt. The Doctor is the very firſt man who has been hardy enough to aſſert that we have the *ſole* right of Taxing them. If this had been the caſe, the Americans would never have been ſuffered by their Governours to tax themſelves, till they had firſt obtained permiſſion from Britain for that purpoſe—we know on the contrary, that their right of taxing themſelves has never been

been diſputed; —— conſequently, our having the *ſole* right, is a moſt prepoſterous idea !——

" If they have contributed any thing " in their own aſſemblies, what they " contributed was not paid, but given; " it was not a Tax or Tribute but a " preſent."

Upon my word this pitiful diſtinction is too puerile to need any comment. What can more glaringly diſcover a weak cauſe, than ſuch a ſubterfuge? The Doctor, firſt, pretends to be entirely unacquainted with the piece of knowledge whether ever the Americans did contribute " any thing in their own aſſem- " blies, by having ſaid, IF they have con- " tributed, &c." — then — recollecting himſelf——he inſiſts it was " not *paid*, " but *given*——not a Tax or Tribute, " but a *Preſent !*"——Will this evaſion ſatisfy mankind that the Americans have *never taxed* themſelves? Yet even admitting

mitting that the money raiſed by them, " was not *paid*, but *given*——not a Tax, " or Tribute, but a *Preſent*" —— does not this ſhew that the Americans have been ſo ready to *give* their money—ſo very willing to make *Preſents*, that adminiſtration ought to have been bound in gratitude for ſuch ſignal *Favours*, to conclude, there was no occaſion for their enacting ſtatutes to compel them to do, what their hearts would have dictated, *without compulſion?*

" Yet they have the natural and legal " power of levying money on themſelves for provincial purpoſes, of providing for their own expence, at their own diſcretion. Let not this be " thought new or ſtrange; it is the ſtate " of every pariſh in the Kingdom."

Behold the Tower of Babel! What confuſion!—What contradictions!—Inconſiſtencies!—We are told in the very ſame paragraph—firſt, that we have the

the *ſole* right of taxing the Americans—then, that the money raiſed by them in their aſſemblies. are *not Taxes*, but *Preſents*—and then in a moment again—that they have " the natural and legal " power of levying money on themſelves, for provincial purpoſes, of pro- " viding for their own expence at their " own diſcretion"!—Let me aſk, in the name of common ſenſe, if people have the power of levying money on themſelves for provincial purpoſes—*at their diſcretion*—is not *that* having the power of raiſing *Taxes!* If not—then the money raiſed by Parliament for the payment of the common expences of the public—cannot be properly ſaid to have been raiſed by *Taxes*! They were only for provincial purpoſes—to provide for *our own expence*— ergo—not Taxes!— " it is the ſtate of every pariſh in the " Kingdom"— and ſo becauſe pariſhes ceſs themſelves, the Doctor compares them to the Provinces of America!—Is he ſerious? Or does he think mankind incapable

pable of reflection? Have our pariſhes Vice-Roys ſet over them, like the American Provinces? Have they councils—and have they aſſemblies of Delegates, who are expreſsly termed *Repreſentatives?* view, then, the difference!—but really *ſuch* reaſoning confutes itſelf!—beſides—have our pariſhes the power of ceſſing us "at their own *diſcretion?* ſurely not. We know full well that the rates charged us, are neceſſary—are proper—we therefore pay them chearfully—but let us ſuppoſe that we were to be ceſſed unreaſonably—would we ſubmit to any demand, wantonly, idly, abſurdly made? certainly we ſhould not. We are not therefore ceſſed at the *diſcretion* of the pariſh Officers——becauſe the moment they loſe ſight of diſcretion——in their demands—we ſhall ſhew prudence in our refuſals. Yet if it was otherwiſe—if our pariſh Officers were armed with powers, ever ſo deſpotick—the vaſt differences I have mentioned, between the ſituations of our pariſhes and the American

can Provinces, are ſuch, as to render the idea hardly worthy of notice.

" If they are to tax themſelves, what " power is to remain in the ſupreme " Legiſlature? That they muſt ſettle " their own mode of levying their mo- " ney is ſuppoſed. May the Britiſh Par- " liament tell them how much they ſhall " contribute? If the ſum may be pre- " ſcribed, they will return few thanks for " the power of raiſing it; if they are at " liberty to grant or to deny, they are no " longer Subjects."

My anſwer to the firſt queſtion—— is—that the ſame power will " remain in the Legiſlature," *which it exerted till the ill-fated Æra of the Stamp Act*:—— the power of governing *conformable to the Conſtitution*—and, of *neceſſarily* making the Empire great, and happy.

The concluſion need only be anſwered, by aſking, are the *Iriſh*, Subjects

of the Engliſh Crown?——If a ſum ſhould be ever demanded of *Ireland*, which it's Parliament may think unreaſonable, exorbitant, and inadequate to the national abilities — beyond doubt their refuſal would be juſtifiable—and Parliament muſt in that event, either relinquiſh it's unjuſt demand, by conforming it to the abilities of the Iriſh—or they muſt diſcard Reaſon, Juſtice and Humanity—by entering into a Civil War with a people, who would be driven to defend their property againſt lawleſs invaders,—againſt men—whoſe law would be the law of Highwaymen—*cutlaſſes and fire arms.*

YET the Iriſh are Subjects of the Britiſh Crown—and the Americans—refuſing to pay unreaſonable demands——would nevertheleſs be good Subjects. *They* muſt be the judges of *their own* fortunes—and if aſked to contribute more than they can ſpare without ruin— it muſt lye in *their* breaſts to determine on the

the propriety of the demand. A Britiſh Parliament—if virtuous—*if* juſt—*if* public ſpirited—would liſten to reaſon—would yield to conviction. The muſket and the bayonet—(when the *only* convincing arguments a Legiſlature can enforce to Subjects endowed with reaſon) become the arguments of Tyrants——who have recourſe to brutal force to accompliſh, what is oppoſed by juſtice. But, to ſay the truth—the miniſtry need not be apprehenſive of ever having any trouble with the Iriſh. They have *now* found a *certain* method of having *all* their demands, anſwered. Reduced, as the Iriſh are, almoſt to beggary—they are plundered by an unrelenting hand—and the Iriſh Lords and Commons—following the example of their Brethren of another Country—care not a farthing how the Iriſh Nation is robbed——provided they are well paid for their obſequiouſneſs.

" Whither will the neceſſity of re-
" preſentation drive us? Is every petty

" ſettlement to be out of the reach " of Government, till it has ſent a Sen- " ator to Parliament; or may two, or a " greater number be forced to unite in " a ſingle deputation?"

An irreconcileable enemy to the principles of a free Government——and to the rights of a free people——I am not at all ſurprized at the Doctor's being ſo zealous in the cauſe of deſpotiſm. If we review the tenets he eſpouſes, and *muſt* eſpouſe, to be a *conſiſtent* Jacobite—— we ſhall eaſily account for the ridicule with which he wiſhes to treat the neceſſity of Repreſentation prior to Taxation.

Are the Provinces of the great American Continent—" petty ſettlements?" Are the demands of three millions of people, below the conſideration of a Britiſh Legiſlature?

The Americans—I am informed—— do not deſire to ſend us Repreſenta-

tives

tives. Their numbers are too great to be repreſented, in a manner adequate to the extent of their Continent—— and it's natural encreaſe of inhabitants. If the Iſland of Great Britain is ſmall, when compared with our Dominions in America—— how could the Doctor dream that only "half the Number" of Members ſent by Scotland, would be a juſt proportion for America?

OUR Colonies requeſt only, that they may be governed *as in the former Reigns.* In thoſe days, Were we not rich—powerful—unanimous—happy—— what need, then, of innovations? Have *theſe* Adminiſtrations ſhewn *more* wiſdom in their proceedings? *Let their effects anſwer.* Let a fair, candid, diſpaſſionate parallel be drawn between the ſituations of this Empire, in the year 1760—and 1775—and the concluſion to be deduced from it, will be *ſelf evident.*

" WHAT at laſt is the difference, be-
" tween him *that* is taxed by com-
" pulſion without repreſentation, and him
" *that* is repreſented by compulſion in
" order to be taxed?"

To be ingenuous, deſerves praiſe. I did not expect the Doctor would have made ſo candid a confeſſion. I ſhould be ſorry to do violence to any man's words—but ſurely the Doctor has fairly *implied* an acknowledgement, that if the Americans were repreſented in Parliament, there would be no doubt of the event — they would *certainly* be taxed. Is not this *prejudging* what *would be* the reſolutions of that reſpectable aſſembly? Is not this, anſwering for the event of a debate, which has never yet been argued? On what grounds does the Doctor draw his inference? Can it poſſibly be known what are *to be* the determinations of either Houſe of Parliament prior to the inſtant of their deciſions?

ARE

ARE we repreſented by compulſion, for *no* other reaſon but, *to be taxed?*— Are no great national concerns, to be *ſuppoſed* the objects of the deliberations of our Repreſentatives? Are thoſe to be *pre-determined* in the *Cabinet*—and are the two Houſes to be of *no uſe but to provide money?* This is an excellent ſyſtem! *truly Jacobitical.*

"THE Congreſs of Philadelphia, an "aſſemby convened by it's own author- "ity, and as a ſeditious conventicle pu- "niſhable by law, has promulgated a "declaration, in compliance with which "the communication between Britain and "the greateſt part of North America "is now ſuſpended."

WE have heard this language lately, echoed by the friends of miniſtry. It is the faſhion to treat the aſſembly at Philadelphia, " as a ſeditious conventicle puniſhable by law." It is full time that ſuch a doctrine ſhould be held in deteſtation.

Is it impoſſible for an Act of Parliament to be of a deſtructive tendency? Is our Legiſlature infallible? Is the Engliſh Government to be ſo modelled, that if a pernicious Bill paſſes into a law, the people are to be forbid aſſembling to conſider of, and reſolve on, the moſt probable way to get it repealed? Whenever this is brought to bear——the Government here will be tyrannical. Engliſh Subjects——in every County—in every Province—have a right to cenſure any Act of Parliament. They may legally meet by public advertiſement, to conſult and reſolve on meaſures rendered neceſſary by the Act. The congreſs, therefore, was no ſeditious conventicle. The Americans think themſelves oppreſſed—and as Engliſhmen they have power to complain. If public meetings for conſultation were to be prohibited—it would be high time for an aſſembly of the whole Nation.

The Doctor affects to be much ſurprized how the congreſs could have been

ſo

ſo abſurd as to complain to the people of England of the eſtabliſhment of Popery, "even in Quebec, a Country of which "the inhabitants are Papiſts."

THE people of England complained loudly of that ſcandalous eſtabliſhment—long before the Americans could have known of the Quebec Bill. We complain not only of the eſtabliſhment of Popery in Quebec and it's dependencies—but likewiſe of the eſtabliſhment of that Religion "fraught with ſanguina-"ry and impious tenets"—in thoſe vaſt Regions now added to Quebec—on purpoſe to authorize Prieſts to preach publickly—*where the inhabitants were never Papiſts.* There is an immenſe diſtance between *toleration* and *eſtabliſhment*—— and we think, that whoever adviſed the King to give his aſſent, not only to the ſettlement of Popery in Quebec—but in the territories added to it—forgot the words of the Coronation Oath—which poſitively inſiſted that the King, to the utmoſt

utmoſt of his Power, ſhould maintain the Proteſtant Religion, as by law eſtabliſhed, *in all the Dominions of his Crown.* The words of the Oath are not before me—but I fancy I am not much miſtaken in the tenour of it's ſenſe. I make no comment.

"WHEN they apply to our compaſſion, by telling us, that they are to be "carried from their own country to be "tried for certain offences, we are not "ſo ready to pity them, as to adviſe "them not to offend. While they are "innocent they are ſafe."

THAT a man of the Doctor's known political principles, ſo far from pitying a people oppreſſed (for their regard to that freedom which he diſlikes,) rejoices and triumphs in their miſery, is not ſurprizing. While men ſubmit patiently to acts of the moſt odious colour, they are ſafe—in the Doctor's high Church Catechiſm, to be ſubmiſſive to arbitrary Power—is—

to

to be "innocent"! — Even in deſpotic Governments, people are "ſafe" *while they bear the laſh without grumbling* — *Who* would purchaſe ſafety on ſuch vile terms, in England or it's dominions? Jacobites, and Tories, indeed, are ready to pay that infamous price, for liberty to eat, drink, and breathe, though deprived of every liberty we prize — but I truſt that nine tenths of the Empire would prefer death to ſuch an exiſtence.

"When it is ſaid that the whole town "of Boſton is diſtreſſed for a miſde- "meanour of a few, we wonder at their "ſhameleſſneſs; for we know that the "town of Boſton, and all the aſſociated "Provinces, are now in rebellion to de- "fend or juſtify the criminals".

To arraign *others* of being "*ſhame- "leſs*", at the very inſtant a perſon is about to give demonſtrable proof of the moſt barefaced aſſurance — requires effrontery which few can equal. The Doctor ſtands unrivalled.

When

WHEN Miniſtry thought it neceſſary the people of this country ſhould be led to imagine that the diſaffected in Boſton, were few in number — and conſiſted of the " ſcum of the earth" — the reſpectable addreſſes to Governor Hutchinſon were trumpeted,—the quality of the addreſſers was conſequential. It is *now* proper, it ſeems, that the whole town ſhould be deemed in oppoſition.

WAS not the deſtruction of the tea, aſſigned as the motive for the ſhutting up the port of Boſton — and paſſing the other bills, which effectually rooted up freedom? Was not that act of deſtroying the tea performed by a few? Surely it cannot be ſaid that the majority of the town were concerned in it — or if they were — was it juſt to puniſh the *whole Province* for the crime of *a town?* — Admitting that the town of Boſton, and all the aſſociated Provinces are NOW in rebellion—certainly the ſhameful bills of laſt ſpring were PRIOR to that rebellion

for

— for they were prior to all the acts of the Americans, which the Doctor inſtances *as proofs of the rebellion.* If thoſe acts of parliament have driven them to take neceſſary meaſures, the Miniſtry may thank themſelves for having been the cauſe of ſo much miſchief. Every evil which has happened, was predicted — and they have taken place in their train as they were foretold. Since, then, there aſſociations have been ſubſcribed to, *ſince the inhuman Boſton Port Bill paſſed* — which puniſhed the innocent, for the crimes of a few — *What* could have been more *diſingenuous*, than the inſinuation, that the non-importation agreement, &c. were *prior to the bill of which we complain?* If the Doctor can read this — and ſee himſelf detected without feeling a bluſh of conſcious ſhame — he is bronzed too deep to be capable of it's admiſſion.

" If they are condemned unheard, it " is becauſe there is no need of a trial.

" The

" The crime is manifeſt and notorious.
" All trial is the inveſtigation of ſome-
" thing doubtful. An Italian Philoſopher
" obſerves, that no man deſires to hear
" what he has already ſeen."

It requires no inconſiderable ſhare of temper, as well as of patience, to comment on ſuch a production without heat. It is hardly poſſible for a man, who reverences the conſtitution, to read ſuch doctrines without indignation.

Though the demolition of the tea, was notorious—yet *who* were the guilty perſons, was very doubtful. If a crime is committed by a ſcore of men, who are unknown——and they fly for refuge in among a crowd, who are at hand—would it be juſt—would it not be cruel to puniſh that crowd, indiſcriminately—becauſe the criminals were undiſtinguiſhable amongſt them? In a free Country, is it poſſible to figure an event, which could conſtitutionally render a trial unneceſſary?

ceſſary? Are ſuch doctrines ſupported in England!——If I was to commit murder at noon, in the view of thouſands—could I juſtly ſuffer death without trial?——For ſhame Doctor J——n!—If I was ſworn a Juryman, on a caſe of life and death—and had privately ſeen the priſoner commit the murder, for which I then ſat one of his Judges—I ſhould ſtrive to forget what I had witneſſed——that I might not perjure myſelf, *by judging contrary to the evidence at the Bar.* If that evidence was inſufficient to convict the priſoner of the alledged guilt—I ſhould think myſelf indiſputably bound by my oath to acquit him of the murder, *though I had ſeen it.*

I HAVE heard it frequently aſſerted with confidence, by thoſe whoſe veracity I cannot doubt—that the people of Scotland are nineteen out of twenty, hoſtile againſt America; that they implicitly approve of *every* miniſterial meaſure—and almoſt deem—Adminiſtration infallible.

The

This has given riſe to moſt illiberal abuſe —which—in my opinion, as well as in the opinion of mankind, has juſtly recoiled upon it's authors. If I may judge of a Nation, by the few with whom I have had the pleaſure of being acquainted—they are men of Senſe—Learning—Honour,—warm and ſteady in their friendſhips. If I may be allowed to add, that, perhaps they *now* entertain rather too high notions of regal power—it is the only drawback *can* be made from their *national* character.

I HAVE been led to mention Scotland, merely to ſhew how apt people are to forget their former ſituation—*and not make caſes their own—however applicable.* I need not ſay that I allude to the affair of Porteous.

IT muſt be acknowledged, that no Act was ever more flagrantly committed, in daring violation of the laws, and in ſovereign contempt of Majeſty. Captain Porteous—

Porteous—commanding a party, attended an execution in Edinburgh—and in a riot, ſome of his men, fired—and did miſchief. He was tried—condemned — but on account of ſome favourable circumſtances, was reprieved for ſix weeks by Queen Caroline—then regent. Porteous—tranſported with joy—had invited his friends to his goal—to celebrate with becoming feſtivity, his happy change of fortune—little foreſeeing the ſtorm, juſt burſting over his head!—Notwithſtanding the reprieve granted by the Queen Regent—at a fixed hour of the night, one party of murderers ſeized the guard——while others ſecured all the gates. The Priſon door was then forced open——Captain Porteous was taken out and hanged on a dyers pole. The mob inſtantly diſperſed—and no perſon was ever it ſeems detected. It was agitated in Parliament that the City of Edinburgh ſhould be deprived of it's Charter—and it's gates be taken down—but it was urged how cruel, and unjuſt it would be, to puniſh

a *Town* for the crime of a *mob*. *They were heard in their defence*——and were pardoned. Yet, if ever ſuch an aſſembly of men, tumultuouſly flying in the face of the laws, *could improperly* be termed, a mob—the murderers of Captain Porteous, deſerved an higher title——for as the ſtory has been repreſented to me, they acted more like *an aſſembly of Generals*, than a mob of riotous aſſaſſins. One ſoul ſeemed to have inſpired every man—which proves that the buſineſs had been *as calmly preconcerted*—prudently planned—as it was deliberately executed. All this made ſtrong preſumptive evidence that the mob had *not* been compoſed of the loweſt order of men—and yet—though " the crime was *manifeſt and notorious*"—and that " all trial is the inveſtigation of *ſomething doubtful*"—and " an Italian Philoſopher, obſerves, that no man deſires to *hear* what he has already *ſeen*"—the City *were tried*—it was granted that it would be cruel and unjuſt to puniſh them for the *unknown guilty*—

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and, to the ſatisfaction of mankind—they were forgiven.——

How different the caſe with Captain Preſton, in Boſton! —*he* was tried—and *by the very men concerned*—acquitted!—If *he* had been thus murdered——what would have been ſaid?—the deſtruction of ſome Thouſand Pounds worth of tea—could have been remedied, by paying the value—but can Millions of Millions reſtore a *life*?—

I THINK this is a caſe in point—let others judge. Was *Boſton* heard? Was Boſton puniſhed? Was Boſton *proven* guilty?

"To bring miſery on thoſe who have "not deſerved it, is part of the aggre-"gated guilt of rebellion." quere——would not the Doctor have ſhewn *a little more feeling* for the innocent, in 1745, *if the guiltleſs had been kinſmen to the rebels?*

" SURELY they think rather too mean-
" ly of our apprehenſions, when they
" ſuppoſe us not to know what they well
" know themſelves, that they are taxed,
" like all other Britiſh Subjects, by Par-
" liament; and that the Crown has not
" by the new impoſts, whether right or
" wrong, obtained any additional Power
" over their poſſeſſions.

OUR " apprehenſions" are thought " meanly of," when we are told, that the Crown would gain *no* " *additional power over it's Dominions*, by the liberty of taxing the Continent of America. Would it not enable miniſtry to create hundred of additional offices? Would it not convey hundreds of thouſands of pounds into the treaſury—to enlarge the circle of corruption? Is not it's circumference already formidable to the liberties of the Empire? What is it, that, now this moment, delays the hand from rivetting our chains, which willingly would ſnatch the office? The loud voice which cries

cries for freedom. Arm Adminiſtration with the Powers America could furniſh—and that voice would ſoon be rendered too weak to rouſe our virtue. Tell us not that it " would be *Parliament*, and " *not the Crown*, which would be armed " with freſh Power"—we have no reaſon to diſtinguiſh between the Power of Parliament, and the Power of Miniſtry—for Miniſtry will always have influence—a dead influence over a large majority—and while that is the caſe, Parliament will be only the engine of the Crown.

" Yet there have riſen up, in the face " of the public, men who, by whatever " corruptions or whatever infatuation, " have undertaken to defend the Ame- " ricans, endeavour to ſhelter them from ' reſentment, and propoſe reconciliation " without ſubmiſſion."

To the honour of England — and of human nature—the cauſe of freedom has

been ably pleaded—the innocent have not been deſtitute of protection. But as every bleſſing has its alloy of evil, there have ariſen up, in the face of noon—profligate ſupporters of lawleſs power—Men who have argued, and written, in defence of ſlaviſh tenets—and pretended affection to a Brunſwick King—and zeal for his government—and at the ſame time reprobate his title to the crown. Men—who inſiſt on the divine right of kings—and yet range themſelves under the banners of a ſovereign, *who is indebted for his royalty to the Whigs* who thought *reſiſtence againſt tyranny, legal.* If kings derive their right from God—thoſe who hold this doctrine *muſt hold the Stuarts claim, ſacred—untill a meſſenger appears from Heaven,* TO DECLARE HIS TITLE VOID.

THE elaborate performance which the Doctor has written on the ſuppoſition of a Corniſh congreſs—is really ſo childiſh, and foreign to the argument, that to anſwer it would be folly.

THE

" THE argument of the irregular " troops of controverſy, ſtripped of it's " colours, and turned out naked to the " view, is no more than this. Liberty " is the birthright of man, and where " obedience is compelled, there is no " liberty. The anſwer is equally ſim- " ple. Government is neceſſary to man, " and where obedience is not com- " pelled, there is no government."

WHEN men thus abuſe the talents received from Heaven, the ſeverity of their puniſhments ſhould be proportioned as their abilities have done miſchief. A doctrine is forced upon us—which we never heard — Words are put into our mouths, which we never uttered. We are made to ſay that " where obedience " is compelled, there is no liberty". We poſſitively deny the doctrine. *We* ſay, that, where obedience is compelled, *to acts which are incompatible with the conſtitution* — there is no liberty. — *We* hold that *the ſpirit of the conſtitution* is PA-

RAMOUNT to King, Lords, and Commons, united — and that if ever King, Lords, and Commons, ſhould violate Magna Charta, from that inſtant their authority is diſſolved — and all delegated power reverts to the collective body of the people — *for whoſe benefit all government was ordained.* Let people take care how they deny this doctrine — for *to this doctrine* the preſent King *owes his crown.* If the people had not conſtitutionally reſumed the reins of government at the Revolution — Charles Stuart — the popiſh Pretender — would this moment have been the deſpotick tyrant of Britain.

Becauſe " government is neceſſary to man", it does not follow that *arbitrary* government is neceſſary. — An *Engliſh* government, muſt be regulated by the fundamental laws on which it was framed. Thoſe laws muſt wield the ſword, and poiſe the ſcale of juſtice. This is demonſtrable — inaſmuch as the king's aſſent is neceſſary to every act of parliament

ment—and as he previouſly ſwears to his people, that he will govern *according to the laws* — he cannot aſſent to any bill which is *not conformable* to thoſe fundamental laws, without evident, and flagrant perjury. It is ſaid of George the Firſt — that ſuch was his lively ſenſe of the ſolemn oath he had ſworn to his people at his coronation — that he never aſſented to any material meaſure, till he had aſked his chancellor, " *Whether it* " *was agreeable to the Laws of Eng-* " *land ?*"

The Doctor informs us, that " if the " ſubject refuſes to obey, it is the duty " of authority to uſe compulſion". He ſhould have ſaid — that — if the ſubject refuſes to obey *what is conſiſtent with, and conformable to, the conſtitution*, it is the duty of authority to uſe compulſion— but if otherwiſe, it is the duty of authority *to amend it's government.* Let me inform the Doctor, in my turn—that " if " the ſubject refuſes to obey" *what*

is

is incompatible with freedom — and if authority thinks it it's duty " to uſe com-" pulſion" — it will *then* become the duty " of every man in the empire, *to join in aſſiſting that ſubject to reſiſt that compulſion.* I will aſſert this doctrine, whilſt I have breath — and if unhappily this country ſhould be ſo enſlaved during my time, (which may the Almighty avert!) as that I ſhould breathe it at the peril of my life—I will either reſign that life at the ſhrine of freedom — or fly to ſome more favoured land, where liberty is nouriſhed and ſupported.

It is become the faſhion of the times to aſſert the contrary opinion — and men aſſiduouſly labour to inſtill into our minds, that " oppoſition to government *is rebel-*" *lion, though that government is ever ſo* " *deſpotic*". I hold this tenet, not only to be high treaſon againſt the majeſty of the people — but high treaſon againſt the king upon the throne. IF oppoſition to James the Second, *was rebellion* — the whole

whole nation *this moment are* REBELS. Let *this* truth be denied—and noon may be miſtaken for midnight — though an unclouded ſun blazes bright in his meridian.

I have the moſt reſpectable law authorities on my ſide — to prove, that *in England*, no human power can have authority *to enſlave*. The late Lord High Chancellor of England, has lately aſſerted this doctrine in the Houſe of Lords. If *Lord Camden* is ignorant—*who* is there well informed?

In whatever light we place this great conſtitutional queſtion, truth darts it's rays on our ſide. Becauſe we delegated a Power for our benefit, ſhall that Power be exerted to our prejudice—and ſhall we be bound by our duty, to ſubmit patiently to that injuſtice?—If I give a letter of Attorney to a man whom I eſteem—becauſe it is impoſſible for me to do the buſineſs in perſon,—and if he violates his truſt

truſt, and attempts my ruin, am I not authorized to exclaim againſt his villainy, and ſtrain every nerve to recover that authority *which is inherent in my perſon*—that I may reſcue my fortune from deſtruction, and puniſh his notorious offence?—If an Act of Parliament could aboliſh juries—if it could annul Magna Charta—if it could ſurrender the rights of the two Houſes of Parliament to the Crown—the order of nature is inverted—right, is wrong—and wrong is right—the liberties of England hang ſuſpended by a ſingle hair—which two corrupted majorities (if any ſuch ſhould ever exiſt) may at pleaſure divide with their breath!

A *precarious* tenure—this—to hold our wives—children—lives and properties!——Let ſuch doctrines be held in abhorrence——for whoever argues for their legality—wiſhes for arbitrary Power.

" The great orator obſerves, that they " will be very fit, after they have been

taxed

" taxed, to impoſe chains upon us. If " they are ſo fit as their friend deſcribes " them, and ſo willing as they deſcribe " themſelves, let us encreaſe our Army, " and double our Militia."

I WILL not depreciate the author's underſtanding, by a ſuppoſition that he could have been innocent of any intention to deceive. He cannot be ignorant that we are in no fears of the Americans, until they are reduced into ſlavery. While they are in oppoſition to *Tory* miniſters, they are our Bulwark. They will never wiſh to impoſe chains on us—till we have ſuffered them to be rivetted in America. We ſhall never be in danger from the Americans, till they Act in conjunction with Tories. In that dreadful hour, we need not " encreaſe our Army"—— for I fear our Army, *by that time*, will be too habituated to the ſight of bleeding freemen, during the reduction of America—to be reluctantly led againſt the liberties of Britain. *Then* to encreaſe

their

their number, would be to encreaſe our enemies.

" We are told of their contributions " to the laſt War, a War incited by their " outcries, and continued for their pro- " tection, a War by which none but " themſelves were gainers."

IF it be true that we made a Peace " by which *none but the Americans are gainers*"——a large debt remains unpaid to Engliſh juſtice.——We were maſters at ſea——we were triumphant over the Globe. The enemy were fearful of truſting a ſhip to ſea—their fleets were ſhut up, priſoners in their own harbours——Whilſt ours ranged lords of the ocean. Their commerce was ruined, whilſt ours proſpered. The King's firſt Speech to Parliament paints the brilliant luſtre that beamed round our heads—and the fallen ſituation of our enemies. It paints our unanimity! It paints our happineſs! How changed are *now* the times! Let me turn

my

my eyes from the melancholy view—and not dwell on a picture which preſents a proſpect—mortifying to Engliſhmen, and pleaſing to France and Spain!——

If—then—we made Peace when the ball was at our feet—and neglected the golden opportunity of being repaid for our expence of blood and treaſure——ſo that "only the Americans were gainers"—we have to thank the *Tories*, who *uniformly blaſt our Laurels*, and relinquiſh to our enemies, with the *pen*, what we forced from their arms with the *ſword*. I hope, in future, we ſhall profit by the example of Ruſſia. She wiſely *continued a glorious War*, till ſhe *forced* as glorious a Peace—but *ſhe* had no Tories, to pluck the wreath of victory from her brow!

"We are reproached with the cruelty "of ſhutting one port, where every "port is ſhut againſt us."

HAS not the non-importation agreement taken place *ſince* their knowledge of the Boſton Port Bill? The non-importation reſolution was formed by the Congreſs—and the Congreſs *ſat poſterior* to the ſhutting up Boſton. It is ſcandalous to attempt thus to deceive. A juſt cauſe needs not the aſſiſtance of falſehood.

"WE are cenſured as tyrannical for "hindering thoſe from fiſhing, who have "condemned our merchants to bank-"ruptcy and our manufacturers to hun-"ger."

It was ſatisfactorily proven in parliament that the fiſhermen had no hand in the diſturbances. Their profeſſion kept them at ſea. They have *not*, therefore, "condemned our merchants to bank-"ruptcy, and our manufacturers to "hunger". If there were not ſome men who cannot bluſh, this detection would cover our author with ſhame.

BUT

But is it true then, and *really* acknowledged by the Doctor, that " *our* " *merchants are condemned to bankruptcy* " — *and our manufacturers to hunger?*" — And for what advantage has ſuch misfortunes been courted?—What will poſterity ſay, when they read, that the moſt ſubſtantial benefits were wantonly bartered for the ideal chimera of a diſtempered brain? — That hundreds of thouſand of pounds — perhaps millions were ſcattered into the ocean — and the ruin of the empire thought nothing — when ballanced with the *poſſible chance* of eſtabliſhing a right to tax America, *though it is acknowledged, that right ſhould never be enforced, though obtained?* Is not this *attempting* to purchaſe a *punctilio* — a vain, idle punctilio, as light as a feather, and as trifling in it's value — *at the price of a commerce which has contributed to our greatneſs?* If the blood of our fellow-ſubjects in America is of no eſtimation in the eye of miniſtry — ſhould they not prize the blood of our ſoldiers?

Is a brilliant, worth millions, to be ſtaked againſt a ſtraw?

" To all this it may be anſwered, that " between loſing America, and reſigning " it, there is no great difference; that it " is not very reaſonable to jump into the " ſea, becauſe the ſhip is leaky. All " thoſe evils may befal us, but we need " not haſten them".

If loſing America, or reſigning it, is the preſent alternative —— we have to thank our Tory miniſters for having forced us, *wrong-headedly*, into ſo ſhocking a dilemma. In the late reigns, America was always thought dependant on Britain, though ſhe was governed preciſely in the ſame manner in which ſhe is this inſtant ready to ſubmit to our ſway. The whole difference has been made by the ideas of our different miniſters. Whigs were ſatisfied with America, becauſe ſhe purchaſed our goods, encreaſed the revenue *by that purchaſe* — enriched our merchants

merchants—employed our men—raiſed ſeamen for our fleets. Theſe were, in *their* ideas, ſolid benefits. Willing to indulge the Provinces in the enjoyment of their rights, the idea of taxing them, was never dreamed of. We never imagined them independent—and they never termed us tyrannical.—But when Tory miniſters ſeized the helm, high-flying maxims regulated the ſtate. The great national advantages we poſſeſſed, were light as air in the ballance, when weighed againſt the pleaſure of encroaching on the rights of the Americans. No benefits were prized, on account of their being *national*—the money was wanted for *private ſervice*. Is it to be ſaid that we reſign America, becauſe we poſſeſs the ſubſtance—and give up the ſhadow? Is the government of America to be thought loſt, becauſe that government will not be ſuffered to be deſpotick?—If our ſhip is "leaky"—let Whigs tighten the ſeams—and ſtop the holes which Tories have bored in her bottom. There

is no occaſion for " jumping into the " ſea"—for we may ſail into a ſafe harbour, *if ſkilful pilots are placed at the helm.*

THAT America muſt in time be independent, is paſt all poſſibility of doubt. That our Tories have anticipated that independence, above a century—is a truth incontrovertibly clear. The diſſentions which diſtracted the Colonies, internally — were unſurmountable obſtacles to their independence — and there is no knowing how long they might have continued, if miniſtry had not reconciled their differences, and cooled their animoſities, by forcing them to have one common intereſt, which has united them in one common cauſe. To haſten their independence — *miniſtry have cemented their union.* They ſet fire to the houſe they were to protect — and now complain of being ſcortched by the flame!

ARE

ARE we not doing our utmoſt *to wean* the Americans from the neceſſity of uſing our manufactures? Have we not turned their eyes towards their own intereſt, by leading them to attend to the increaſe of their ſheep? Have they not advanced to independence, more within the laſt twelve years, (entirely owing to the abſurd, obſtinate perſeverence of miniſtry, in their attempts to raiſe a revenue, at the expence of *ten times it's value in commerce)* than they would have done in an hundred, under a Whig adminiſtration? This cannot be denied with truth.

BETWEEN jeſt and earneſt, the Doctor inſinuates meaſures, which I dare ſay he would readily defend, if they were adopted. " Let us reſtore to the French " what we have taken from them. We " ſhall ſee the Colonies at our feet, when " they have an enemy ſo near them. " Let us give the Indians arms; and " teach them diſcipline, and encourage

" them now and then to plunder a plan-
" tation. Security and leizure are the
" parents of ſedition."

And can an *Engliſh* heart, *conceive* ſuch ideas, even in jeſt, without horrour!——But the virulent ſpirit of an inveterate Tory, can calmly contemplate the idea of ſavages turned looſe upon the friends of freedom ——— he can imagine himſelf the huntſman of the Indian pack—hollowing forward his blood-hounds to carnage!

" If their obſtinacy continues without
" hoſtilities, it may perhaps be mollified
" by turning out the ſoldiers to free quar-
" ters, forbidding any perſonal cruelty
" or hurt."

Excellent advice! If the Americans are too peaceful, and too prudent to commit any outrage, *to juſtify ſlaughter*—turn looſe the troops to plunder—to be licentious—to inflame to madneſs!—They

will

will then burſt all bounds in their rage—and miniſtry may take occaſion to glut the vengeance *of Jacobites, with the blood of the enemies of the Stuarts.*

"ON the original contrivers of miſ-"chief let an inſulted Nation pour out "it's vengeance." Then the vengeance muſt fall on the heads of *Adminiſtration*—for every thing was quiet after the repeal of the Stamp Act, till miniſtry returned to the attack—and threw combuſtibles upon the embers which were on the brink of being extinguiſhed. They have fanned the flame—but let them take care, leſt, when it mounts higher, it may conſume themſelves.

"THEIR charters being now, I ſup-"poſe, legally forfeited, may be mo-"delled as ſhall appear moſt commodious "to the Mother Country."

AND ſo becauſe the deſcendants of Engliſhmen think it their intereſt to de-

lay trading with a Country which claims a right to tax them at pleaſure, *though unrepreſented*—their government is to be *new modelled*—Governour Hutchinſon's advice * is to be adopted—they are to be deprived of "*Engliſh Liberties*" in order to curb their free ſpirits!—When miniſtry begin to enſlave a diſtant Province, let the Engliſh nation be on their guard—let them look at home, *for* precedents of that nature generally multiply, alarmingly. Nothing can be more dangerous than to gratify miniſters with *a taſte* of lawleſs Power. It is ſaid of wild beaſts, that if ever they happen to ſmell any blood about their keepers, when they are taking liberties with thoſe creatures to amuſe ſpectators—it never fails proving fatal to the poor men who have ventured their heads into their mouths. The inſtant they *taſte blood*—they devour. Like their brethren of the foreſt, miniſtry may be kept within bounds, *while we carefully reſtrain their*

* As contained in his letters.

abilities

abilities to do miſchief—but if we ſuffer them to *reliſh the deſtruction of American freedom*, it may *whet their appetites irreſiſtibly*———and *when America is devoured*——*England muſt afford the next victim.*

When the Bills of laſt ſpring left England—the miniſterial advocates were ſanguine in their expectations that they would be productive of American ſubmiſſion. They found themſelves miſtaken — for they produced the general unanimity, *which was predicted.* Miniſtry now affect to deſpiſe the opinion of American oppoſition—they rely on the effects which gold has produced in New York. But let my prophecy be recorded——their Bills will add fuel to the flame——they will make it rage the fiercer. Men, fired with a noble enthuſiaſm in the cauſe of freedom will *never be tamed by the laſh*—they will be animated to reſiſtance, in proportion as that reſiſtance is juſtified, by Acts of lawleſs oppreſſion, and vindictive cruelty. Ad-

ADMINISTRATION may plume themſelves as much as they pleaſe, in the fond hope, too, that the French and Spaniards will be ſo very complaiſant to them *(their good friends,)* as to remain patient ſpectators of a Civil War—from which they may derive ſuch infinite Advantage. To imagine that they will let ſlip ſo favourable an opportunity for attacking us —is to be credulous, to a degree which renders argument ridiculous!—To reaſon againſt tranſubſtantiation, with a *confirmed bigot*—would be demonſtrative proof of folly!

THE continuance of the Peace *may* be purchaſed from France and Spain—but *if it is to be purchaſed*—it *muſt be bought* by *ſecret* articles, which muſt be deciſively detrimental in their effects—and for which pernicious conſequences—no attonement *can* be made to England, *but by the axe of the Executioner!*

THE

THE Doctor ſeems very deſirous if it were poſſible to obliterate the word "*ſlavery*" from our language. He laments that as "no man ever *could give law to* "*language*," it "will be vain to prohibit "the uſe of the word *ſlavery*." I do not wonder that when men have formed ſchemes for the deſtruction of mankind, they wiſh all ſounds prevented, which can alarm the unhappy objects of their malevolence. The more they can be lulled into a belief of their ſecurity—the eaſier they may be entangled by the toils of tyrants.

IN treating on the effects produced by the difference of climates in various Countries, Monteſquieu, mentioning the climate of England, ſeems to think it will conduce to the prolongation of our liberties, beyond the time which would otherwiſe have put a period to them.

As his remarks are entertaining, as well as very inſtructive, I ſhall tranſcribe

ſcribe what he ſays, entire—and I fancy the tranſcript will be thought very applicable to my preſent ſubject.

" Effects ariſing from the climate of England."

" In a Nation ſo diſtempered by the " climate as to have a diſreliſh of every " thing, nay even of life, it is plain that " the government *moſt* ſuitable to the in- " habitants, is that, in which they cannot " lay there chagreens *to any ſingle per-* " *ſons charge*, and in which, being un- " der the directions rather of THE " LAWS than of the prince, *they can-* " *not change the government*, WITH- " OUT SUBVERTING THE LAWS " THEMSELVES.

" But if this Nation had likewiſe de- " rived from the climate, a certain cha- " racter of impatience which rendered " them incapable of bearing the ſame " train of things for any long continu- " ance; it is obvious that the govern-

" ment

" ment above mentioned is the fitteſt for " them."

" THIS character of impatience is not " very conſiderable of itſelf; but it may " become ſo, *when joined with courage.*"

" IT is quite a different thing from le- " vity, which makes a people undertake, " or drop a project, without cauſe; it " borders more upon obſtinacy, becauſe " it proceeds from ſo lively a ſenſe of " miſery, that it is not weakened even " by the habit of ſuffering.

" THIS character, *in a free Nation,* " *is extremely proper for diſconcerting* " *the projects of tyranny*—WHICH IS " ALWAYS SLOW, AND FEEBLE " IN IT'S COMMENCEMENTS, as " IN THE END IT IS ACTIVE AND " LIVELY; *which, at* FIRST, *only* " *ſtretches out a hand* TO ASSIST, *and* " EXERTS, *afterwards* A MULTI- " TUDE OF ARMS TO OPPRESS."

" SLAVERY

" SLAVERY IS EVER PRECE-
" DED BY SLEEP. But a people who
" find no reſt in any ſituation—who con-
" tinually explore every part, and feel
" nothing but pain, *can hardly be lulled*
" *to ſleep.*"

" POLITICKS are a kind of a file, which
" wears out by uſe, and attains it's end
" by a ſlow progreſſion. Now the peo-
" ple of whom we have been ſpeaking,
" are incapable of bearing the delays,
" the details, the coolneſs of negociations:
" theſe are the things in which they are
" more unlikely to ſucceed than any
" other Nation; *wherefore they are apt*
" *to loſe by treaties what they obtain by*
" *their arms.*" *

As ſlavery is *preceded by ſleep* — let us be ever awake — for the ſame Monteſquieu informs us, that the Engliſh " have a great deal of reaſon to be " jealous of their liberty" for were they

* See Spirit of Laws vol. 1. b. 14 chap. 13

" ever

" ever to be ſo unhappy as to loſe " it *they would be one of the moſt ſer-* " *vile nations upon earth*". I there-fore hope, and truſt, that it may ever be found " vain to prohibit the uſe of " the word *ſlavery*" —— even though it is wiſhed for, by Doctor J——n. I make no doubt, but from a ſimilar mo-tive, the noted Hawke—while the tyrant of Hounſlow Heath, would have wiſhed to eraſe the word *highwayman*.

THE Doctor has been very liberal of his abuſe on all thoſe who have aſſerted the liberties of their country. Many there are, I readily believe, who de-ſerve his ſevereſt cenſures. I think that to oppoſe government, from any other motive but *principle*—diſcovers an heart inſenſible to the moſt laudable incite-ments—awake to the moſt ſhameful paſ-ſions. Such an heart is capable of the moſt abandoned proſtitution — for he who can ſo far loſe ſight of every ho-nourable inducement to act worthily, as

to

to bring himſelf *to oppoſe what he thinks* RIGHT, *to obtain power, and it's attendant emoluments of office*—will—very readily—*to preſerve that power and thoſe emoluments*, SUPPORT *what he thinks* DESTRUCTIVE. There is no breach of charity in this concluſion — for this maxim will ſtand the teſt of examination, in theory — and we daily ſee melancholy examples to evince, that it holds but too juſt, in practice.

Some few there are, I hope, whom the treaſury could not have tempted to ſupport the American Bills of laſt ſpring — or the bill which is to make ſuch devaſtation among the poor fiſhermen on the Banks of Newfoundland. If ſome virtue is not ſtill remaining in the Engliſh nation, all oppoſition to arbitrary encroachments, is in vain — and we may as well at once bow down our necks to receive the yoke. True, it is, that we have too much reaſon to fear that our ſun of liberty has paſſed his meridian,

and

and is declining rapidly, to revive ſome happier clime with his beams—and to chear this devoted Iſland no more with his preſence!——Men who can barter invaluable *national* bleſſings, for *private* acquiſitions—are unworthy the rights of freemen—and if they could be the *only* ſufferers, they would fall as unpitied, as they are deteſted—but the misfortune, is, that the few who preſerve their integrity, muſt feel the chains as heavily, as the men who have deſerved to groan under their weight. They will feel them *more acutely*—more agonizingly—becauſe their *Spirits* will likewiſe be wounded—while the *animal* living principle * of a willing, obſequious, *Engliſh* ſlave, can only be awakened to ſenſation *by his Driver's whip.*

I HAVE now gone through the material parts of Doctor J——n's Pamphlet, which I thought required Comments. I have written with as much temper as it was in

* I cannot dignify it by the names of *Soul* or *Spirit.*

my power to command and I hope it muſt be acknowledged that I have written with candour. I entreat that it may be remembered, that however warmly I may have expreſſed myſelf againſt the author of the pamphlet I have anſwered, I was warm only againſt the *principles*—not againſt the *man who entertains them.*

EDUCATION — and early example— Ideas imbibed with our Milk, tinge our minds with a colour, which gives them a biaſs through life. Charity compells me to make this allowance for men, who *really* prefer arbitrary power to freedom — who would readily cringe, ſlaves to a great ſuperior tyrant—to have power to tyrannize over proſtrate vaſſals at their feet. Charity obliges me to make this allowance for Doctor J——n. *A Jacobite has an excluſive right to plead for tyrannical meaſures.* As a friend to freedom—an *irreconcileable* enemy to lawleſs power — I have expoſed and cenſured, tenets, which I would inveigh againſt —

though

though publiſhed by a father I loved. I am perſuaded that the Doctor has always written from *principle*—and, in *that* opinion — I honour him. I cannot help lamenting, however, when I ſee a man of ability *capable of being influenced by principle*—and *yet* find *that principle*—jacobitical.

WHEN ſuch productions as the Doctor's, are induſtriouſly commended—and highly favoured by miniſters, it is high time to expoſe their tendency. A noble Lord, high in office, has praiſed his pamphlet in the Houſe of Peers. Have we not cauſe to be alarmed, when we find, that *ſuch principles* are approved by *ſuch men?*

WE are ridiculed for our apprehenſions of ſlavery, though, without a magnifier, we can ſee it's approaches, regular. The preſs is perſecuted with rancour — and Tories make it the vehicle of foul abuſe againſt private characters, *on pur-*

poſe to render it odious. The periodical paper, the Criſis, could never have been written by a Whig. The Whigs revere —and hold ſacred—a liberty—on which we depend, for happineſs. Whatever Printers ſuffer private characters to be villified—and by that means ſubject the preſs to heavy fines—neglect the duty they owe to their country—and betray it's moſt eſſential privilege. Printers who wiſh not to gratify it's enemies will take care to preſerve it's chaſtity, by ſuffering it to cenſure men, only for actions *which affect the public welfare.* By adhering to this criterion the preſs can never be abuſed. It ſhould ever remain the ſcourge, and terror of wicked miniſters—but when they are arraigned for public crimes, they ſhould be arraigned in terms that ſuit *the gentleman.* Foul abuſe diſguſts the friend of freedom—while thoſe who wiſh for deſpotiſm, rejoice in the advantage it gives them over the greateſt obſtacle in the way to lawleſs power.

If arbitrary Power is not the preſent favoured ſyſtem, why is this notorious predilection for Toryiſm, ſo conſpicuous? Let any man attend to the political complexion of the men in Power——and doubt—if it be poſſible—the favourite reigning colour of the times. Of what dye are the men who are placed in the boſom of fortune? Are they not Tories? Has not the cocoa tree, for theſe many years *emptied* it's members into the chief *offices* of truſt and profit? Are not men of highflying tenets choſen to the higheſt departments of the ſtate? Are not thoſe of our nobility, and gentlemen, who are ſuſpected of revolution principles — diſregarded—ſlighted—neglected—frowned on? Does it not ſeem as if having been friends to the Stuarts, was the ſtrongeſt recommendation to favour? *Why* the ſtrongeſt recommendation to favour? The anſwer is too obvious! Becauſe men who wiſh well to the Stuarts, *muſt of courſe be Tories—— and Toryiſm* is the *miniſterial* virtue——which—like charity,

in the goſpel—" *covers* the multitude of ſins."

JUDGE men by their actions. Have they not, with avidity, caught the opportunity of eſtabliſhing arbitrary Power, in the *only* part of the Dominions, in which they had courage to riſk it's introduction? Have they not eſtabliſhed Popery——not only over the Province of Quebec—but *over vaſt additional Regions*?——If I am aſked, " do I think miniſtry Papiſts?" I anſwer, No; " why then imagine they wiſh to favour Popery?" Becauſe they know that the Papiſts, will, *in return for their good offices to the holy Mother Church*—do their utmoſt to forward the completion of the Torie's wiſhed-for plan of arbitrary Power. As miniſtry, therefore, have given ſuch an apparent preference to Popery and Deſpotiſm, (by eſtabliſhing both, over the immenſe Regions of Canada—becauſe they thought it might *ſafely* be ventured) can we doubt that the

Tories

Tories would eſtabliſh that Religion—and that government in England, if Tower-Hill did not riſe to their view?

THERE is a maxim in private life——held to be an unerring rule—" ſhew me *his company*, and I will deſcribe to you the man." This will hold equally juſt in the great circle. If being followed—revered—praiſed—loved—admired by all the Tories and Jacobites of Britain, can be any ſcandal to miniſtry—no people were ever ſo wretchedly expoſed *by their friends*.

BUT while I am cenſuring miniſtry for having attracted the admiration of the ancient enemies of our Royal Houſe—let me throw a weight into the oppoſite ſcale—to ballance, in ſome degree, the black liſt which preponderates the ſcale of Toryiſm.

MY Lord D——h's friendſhip would do honour to any miniſtry. His Lordſhip is high in favour with Majeſty and with

all men in Power. He is a Privy Councellor! When any great national queſtion is depending in his Houſe, *view him going about from Peer to Peer—diffuſing his ſpirit within the utmoſt ſphere of it's extenſion—breathing his love of liberty, and zeal for the honour and intereſt of the Empire*, into every Lord who will attend to his ſentiments. His Lordſhip has been *always* a warm friend to the *Hanoverian* family—and has *ever* been remarkable in L———ſhire, for his *active zeal* in the cauſe of freedom. Liberal in his ſentiments——an approved advocate for the liberties of the ſubject—a miniſtry, who have in his Lordſhip, a ſupporter—are armed againſt an hoſt of oppoſers. Juſtice has compelled me to make this public exception in Lord D———h's favour—and in favour of miniſtry—while cenſuring the preference given to profeſſed Tories and Jacobites.

STILL to proceed in my *attempt* to produce evidence in proof of the juſt grounds

grounds on which we apprehend a plan formed for the introduction of arbitrary power—ſuffer me to turn your attention to a review of Lord Mansfield's doctrine to Juries.

It muſt be granted that the two great ſupporting pillars of the conſtitution—are —our trials by *Jury*—and the liberty of the preſs. By rendering Juries, Cyphers —*both* theſe pillars would be blown up *at one blaſt*. They have each been attacked ſeparately—but the grand mine has been therefore principally attempted to be ſprung under the priveleges of our Juries.

Has not every art, that wiſdom, learning, or ſophiſtry could deviſe, been exerted to abridge our Juries of their right of judging, and determining on the *whole* matter before them? Has not Lord Manſfield been indefatigable in his ſtruggles to render them Cyphers? —If I publiſh, what *his Lordſhip* may be pleaſed to deem

deem a libel——can I poſſibly be ſaid to have been tried by a Jury, *if that Jury have been no judges of my offence?*—— It is an inſult upon common ſenſe, to pretend that my fate is to be determined by a Jury, if my *criminality*, or *innocence*, is *not* to be decided by *their* verdict. There can be *no* GUILT in publiſhing *a printed paper*—the GUILT, lies, in the CRIMINALITY of it's CONTENTS;——to judge, *therefore*, of *that* CRIMINALITY—muſt be *their* office—otherwiſe—their preſence will be quite unneceſſary—their preſence will *cruelly tantalize* me with the *empty ſhew* of a *ſeeming* equity of judgement, by which I could have no hope of being benefited—their preſence, would, in *my* view—be only *a ſolemn mockery of the conſtitution.* It would remind me of thoſe bleſſed times, when, the very judge whom I had irritated by the juſtice of my ſatire, could not have been permitted to be the inflicter of a puniſhment, which I had merited *only by my virtue!*

THAT

THAT I had, perhaps, not only written the work, but likewiſe publiſhed it—I ſhould readily avow at the bar—and if I reſted my defence on the *integrity of my intentions — the truth of my aſſertions*—and *the innocence of the contents*—what would that proof avail me, if the jury were *only* to judge whether *the paper* had been *publiſhed*, or *written* by *me?* Unable to deny my having *publiſhed*, or *written*, what they had heard me glory in having preſented to the public — they ceaſe to be my judges if they are to be *compelled* to bring me in, GUILTY—for an act which they think meritorious. The *very words* which the laws have put into the mouths of our juries—are, *of themſelves*, deciſive proofs of their powers.

LET us ſuppoſe it poſſible, for argument's ſake—that a clergyman was to be proſecuted for a ſermon — at which the brother of a judge, had taken the greateſt offence. Let us take it for granted that the

the judge was a tyrant—and his brother a fool. That the ſermon complained of, was remarkable for it's excellent doctrines — elegant compoſition — pious reflections. That it breathed religion towards God — peace — good will towards man.

Let us view this eminent divine at the bar — for an ideal injury, conceived by an ideot—at the inſtigation of a monſter, bent on his ruin. Let us imagine every juror, remarkable for his good ſenſe — ſound judgment—great virtue. This clergyman cannot diſprove his having *publiſhed* that ſermon—the jury *muſt* therefore acknowledge, what he confeſſes. IF they are THEREFORE to find that pious man, GUILTY—would it not be an unpardonable outrage againſt reaſon —common ſenſe—juſtice—religion—law —equity? — The word GUILTY ſhould be expunged with indignation from our language—for having conveyed *the* IDEA of *criminality*, to an act that was worthy of

of an angel. The jury *muſt* bring him in "*guilty*"—and the judge may deprive him of his liberty and his fortune—for what merited a ſeat in heaven !——

THE office of the judge [according to the principles of our free conſtitution] is merely to preſerve order in the court—to detect and expoſe any attempt to wreſt the laws—and miſinform the jury—— to ſtate candidly the evidence on both ſides——and—when the *Jury has judged* whether the priſoner has been *innocent* or *guilty*—the Judge is to pronounce (NOT HIS OWN capricious opinion—but) the ſentence of condemnation, or the acquittal, dictated by——the known laws of the land.

DID not Lord Mansfield keep Bingley, (a printer——) above two years a priſoner in the King's Bench——without any trial, or ſentence? did not Bingley's fortitude, perſeverance, and public ſpirit, at laſt triumph over the Lord Chief Juſtice

tice of the King's Bench——and his majeſty's attorney general?——he was confined, in hope of driving him to accuſe himſelf, by anſwering interrogatories—but by his determined reſolution—and generous zeal for freedom, he roſe ſuperior to his dignified oppreſſor, who was glad to ſet him at liberty, when he found it in vain to attempt the farther deprivation of his rights. In *his perſon*, the *conſtitution* has been daringly violated—and yet, to this day, the violater has eſcaped with impunity, the puniſhment due to his crime!

THE late Houſe of Commons, too, did *lawleſs* acts — which would have *diſgraced the Divan of Turkey*. They forcibly choaked up the ſtream of juſtice. They tore out a judicial record. They *uſurped* the powers of a court of criminal juſtice. They aſſumed the complicated offices, of informers—accuſers —judges—juries—executioners!

After

AFTER having taken a retroſpect of the infamous venality, and bare-faced corruption of the laſt Parliament, if we reflect on the prophecy of the immortal Monteſquieu, in his ſpirit of laws—we cannot avoid thinking the freedom——— and of courſe the ſplendour of England near their cloſe. On the authority of that great man we may be aſſured, that *whenever our liberties expire, the luſtre of our Empire muſt fade.*

I SHALL inſert the paragraph which precedes the prophecy—to ſhew how the author introduces it.

" WHOEVER ſhall read the admirable " treatiſe of Tacitus on the manners of " the Germans, will find that it is from " them, the Engliſh have borrowed the " idea of their political government. " This *beautiful ſyſtem*" (GOD knows how ſhort a time it may remain beautiful!) " was invented firſt in the Woods.

" As

" As all human things have an end, the " ſtate we are ſpeaking of, will loſe it's " liberty, will periſh." Obſerve how Monteſquieu pointedly marks his opinion, that this Nation cannot poſſibly outlive it's liberty——he makes our " *ſtate*," " *periſh*"—as it's *certain conſequence*—— on the expiration of freedom——how watchful ought this to make us, to guard the avenues which lead to the vital ſource of our ſtrength—ſplendour—happineſs!

" Have not Rome, Sparta, and Car- " thage, periſhed? IT WILL PERISH " *when the* LEGISLATIVE *Power* " SHALL BE MORE CORRUPT " THAN THE EXECUTIVE." *

MAY we not, with Young—ſay—— " As if an Angel ſpoke" we " hear the ſolemn ſound!"—

* See vol. 1, Book. 11. Chap 6.

HAS

HAS not the *legiſlative* Power ſhewn *more* corruption than the *executive?* Who can doubt it? Reflect on the bills of laſt ſpring—review the proceedings of the Commons againſt Woodfall — recollect their refuſal to hear Boſton in it's defence, remember their denial of leave for General Murray's being examined at their bar, relative to the propriety of the Quebec Bill. It is abſurd to enumerate their offences——the catalogue would croud a folio!

MEN of the moſt profligate characters have been ennobled—and virtue is no longer a recommendation to office. BISHOPS --- *have not been aſhamed to* VOTE FOR POPERY—*and* PLEAD FOR BLOOD!——Public and private principles of integrity and virtue, are ridiculed, and ſcouted out of company —and male and female loſs of honour and chaſtity, no longer exclude from polite circles, the favourites of fortune, the ſons of corruption.

And are *theſe* no ſymptoms of decay? —Are no means to be *attempted* to abate their virulence?—Ought we to repoſe confidence in the aſſurance of *intereſted Quacks*—who wiſh to conceal from us, our ſituation — expecting dignities and fortunes by our death? — Are we to apprehend no danger of diſſolution—*till the Phyſician's Art is vain?*

Let us inſtantly arouſe, then — to a juſt ſenſe of the impending danger — and let us *try at leaſt* if we cannot prolong the life of freedom, by ſtrengthening the conſtitution in the moſt efficacious manner, wiſdom and reſolution can ſuggeſt---while it has yet any remaining vigour left, to ſecond our glorious efforts. Let not poſterity be juſtified in venting imprecations on our memories—for having neglected the preſervation of thoſe liberties, which our anceſtors purchaſed with their blood.

I WISH that ſome pen more capable of convincing the judgment, and of reaching the heart, than *mine* can pretend to be — had *executed* the office, which *I* have only *attempted* to perform! — What taſk can be *more* meritorious — than to expoſe error, and confute falſehood?

I CAN urge in favour of this little work — that — whatever imperfections it may contain — it was written *with an honeſt zeal, in the cauſe of truth and freedom.* No other motive has dictated one ſingle ſentence — and if I can be happy enough to find, that I have, in any degree afforded an antidote to Doctor J——n's poiſon — my end will be completely anſwered.

F I N I S.

ERRATA.

Page	13,	line 20,	for *too* read *so*.
——	23,	—— 3,	for *friend* read *advocate*.
——	——	—— 6,	dele *not*.
——	27,	—— 11,	dele *apostrophe* in merchant's.
——	28,	—— 2 & 13,	dele *apostrophe*, as above.
——	66,	—— 22,	for *judges*, read *best judges*.
——	72,	—— 1,	dele *lia* in par*lia*liament.
——	78,	—— 22,	for *possible* read *possible*.
——	84,	—— 16,	for *hundred* read *hundreds*.
——	108,	—— 10,	for *there* read *their*.
——	118,	—— 18,	for *Terie's* read *Tories'*.

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